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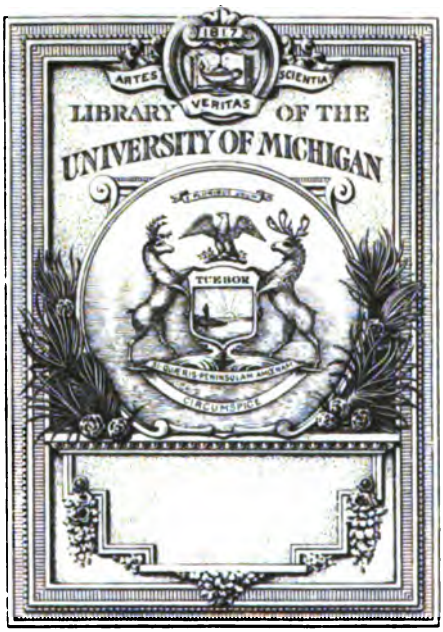


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STATUE OF JEFFERSON.

by

David (d'Angers)

*Presented to Congress by Capt. U. M. Levy U.S.N.*

*For the Democratic Review*

A. Vaudr. court 140 Nassau St.

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THE

# UNITED STATES MAGAZINE,

AND

# DEMOCRATIC REVIEW,

CONDUCTED BY

THOMAS PRENTICE KETTELL.

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THE

# UNITED STATES MAGAZINE,

AND

# DEMOCRATIC REVIEW.

VOL. XVIII. JANUARY, 1846. No. XCI.

## THE RECIPROCAL INFLUENCE OF THE PHYSICAL SCIENCES AND OF FREE POLITICAL INSTITUTIONS.

"The poor are condemned to a want of that leisure which is necessary for the improvement of the mind. They are the predestinated victims of ignorance and prejudice. All the powers they possess are engaged in the pursuit of miserable expedients to protract their existence. Whatever be the prejudice, the weakness, or the superstition of their age and country, they have scarcely any chance to escape from it. It is melancholy to reflect how few moments they can have of complaisance—of exultation—of honest pride, or of joy. *Is there not a state of society practicable, in which leisure shall be made the inheritance of every one of its members?*"—GODWIN'S ENQUIRER.

THE innumerable schemes which, from time to time, are making their appearance in this country for the improvement of its Social Condition, is about the most conspicuous feature of our civilization. Corporations are created; capital is invested; presses are established, and, we ought, perhaps, to add, mad-houses filled, in giving expression to this fertile enthusiasm.

These reformers may be divided into the following classes, each of which behold, in their several devices, the most immediate instrumentality for emancipating society from sin and grief:

First, the religious reformer, who looks to spiritual influences entirely for man's political and social regeneration.

Second, the socialist, who fixes his hopes upon an entire re-organization of industry, and the emancipation of the cardinal passions.

Third, the agrarian, who requires a forced and periodical equalization of the landed property of the country among all its inhabitants.

Fourth, the political reformer, who relies upon the equalization of the duties and the rights of all, by the operation of laws which shall secure to every man as much freedom as may comport with the enjoyment of an equal freedom by all his fellow-citizens.

All the various orders, sects and schools of American meliorists may be included under one or another of these denominations.

We can't have labored thus long at this our post editorial, with however indifferent success, without having defined to which of the above classes we affect to belong. We are by no means unconscious of the obligations of our race to the manifold and substantial labors of the spiritualist and the socialist, and, so far as defining prevailing social deformities, to the agrarian. But we have no faith in the schemes of either of them for bringing out and setting in motion all the progressive tendencies of a nation. It is not our purpose, however, at present, to define the insufficiency of their several systems; first, because the criticism of others is a very imperfect mode of advancing one's own opinions; and, secondly, because we can hardly hope to detain the attention of our readers, even for the space necessary to explain,—as it is our wish and will be our effort to do—the grounds of our confidence in the efficacy of political agencies, to achieve that final re-

sult which all reformers in common desire.

Before making this attempt, it may be proper to premise—what will generally be conceded, we presume—that the common purpose of civil society is, or should be, to promote the happiness of all its members. That happiness can only be secured by the gratification of all those natural appetites, tastes and propensities, which are necessarily incident to our existence. A denial of any one of these gratifications will be a distinct cause of unhappiness, and will prove that the social state in which it occurred has thus far failed of its purpose. In so far as that social state is responsible for the evil, it requires change.

Now, it so happens, that in every society of which we have any knowledge, a very large proportion of its members have been denied, to a considerable extent, the enjoyments which we suppose necessary to their happiness. They have been compelled to struggle with their physical necessities—with political and social oppressions of one kind and another, for their whole lives. By the burden of supporting their existence, they have been excluded substantially from all participation in the more elevated and elevating enjoyments of which our nature is susceptible. The great mass of them cannot presume to have any ideal life. They are forever possessed by their material wants.—Their minds are engrossed by day and by night—in season and out of season, in devising ways and means of satisfying the long procession of the appetites, as they approach, day after day, to enforce their uncompromising demands. In their incessant search after the means of living, they have been forced to forget the ends of life.

*Et propter vitam vivendi perdere causas.*

How is it possible for nations thus enthralled — their finer sensibilities deadened or extirpated, to receive the highest culture, or a symmetrical moral developement? How is it possible for them to experience the emotions which spring from a pure taste, and from elevated sentiments? The inexorable constraints of their position must cut them off, to a great degree, from all this range of pleasures, and their æsthetic susceptibilities, from which all the purest and most precious enjoyments of our nature spring, must die out of them. To prevent the continuance of this state of things is the true office of the social reformer; for to secure its opposite is the great purpose of civil society.

Obviously the first step to this end is to supply those oppressive necessities for life and sustenance with less expenditure of time and energy than is now required, that leisure may accrue to be devoted to more spiritualizing pursuits. How this result is to be effected, is the great economical question, in the decision of which the whole human race have a permanent interest, and which lies at the foundation of all statesmanship and of all political philosophy.

To achieve this spiritual emancipation, it will be necessary to increase the product of a man's industry, so that a less amount of labor may supply his necessities, and also to teach men what their actual necessities are, that they may not be the prey of conventional tastes and appetites.

As the last result will, in our judgment, follow, inevitably, from the first —for reasons which we may hereafter have occasion to render—we will confine ourselves to the consideration of the first, and will inquire if there be any hope of multiplying the product of a man's labor, so that his physical wants may not exclude the gratification of every other, and through what instrumentality that hope is to be realised.

If we have read aright the history of our race, and have at all comprehended the processes of its moral developement, we have discerned or imagined the quarter from whence the remedy is to be derived of which we are in quest.

We refer to an extended culture of the physical sciences and their enlarged application to the useful arts. It is by the aid of the physical sciences we hope to see the ample stores of nature subdued to the uses and convenience of men, and by the aid of powers which yet remain to be revealed. We believe that nature produces nothing which she is not competent to maintain according to the laws of its existence.—That its structural demands are but the shadows of promises which had preceded its creation, but which science might not yet have learned to interpret, and that it is to the man of science and the artisan that we are ultimately to look for the achieve-

ment of this great work of social amelioration.

We say ultimately, for there is another agency to be employed, which the history of the physical sciences demonstrates to be indispensable to their prosperity. And that is the co-operation of free political institutions. *It is only under the kindly influences of civil liberty and the amplest recognition of man's individual independence, that the natural sciences can be most successfully applied to the useful arts.*

As the truth of this proposition lies at the base of our argument, we shall take the liberty of referring to the history of these sciences for its confirmation, and shall then endeavour to explain our reasons more at length for considering *their growth and development indispensable to the realization of that highest social enjoyment, the attainment of which we have indicated as the true end of all good government;* and in the course of our inquiries we trust it will be made to appear, that it is to the political reformer to whom we must look as the immediate instrument under Providence for hastening a consummation so devoutly to be wished for.

According to the ancient mythology, which is but history transfigured, Prometheus is reported to have stolen from heaven the element of fire, of which Jupiter had interdicted the use to man. For this theft the sinning Titan was bound in chains, as the myth goes on Mount Caucasus, and an eagle was sent by Jupiter to prey upon his liver, which, by a cruel dispensation of the vindictive god, was permitted to grow during the night, as much as it was consumed during the day. After the lapse of many thousands of years, Hercules slew the eagle, and delivered the suffering Titan from his terrible bondage.

In this lay of Prometheus the imagination of antiquity has foreshadowed the fortunes and the fate of those throughout the ancient world, who, as artizans, mechanics, or philosophers, made the physical comfort of their fellows the business of their lives. It typifies the irreconcileable antagonism which was supposed to exist between the laws of nature and the harmony of constituted society—between the interests of the tens and the interest of the millions. It shows the terrible penalty which followed every avowed effort to rob the guarded treasury of nature of her resources to distribute them among the people, and it shows the joint supremacies of human and divine legislation combined to enforce its infliction.

How broadly contrasted with this picture of error, established by law, and sanctioned by religion, is the condition of the *minister et interpres naturæ* of our own time—the Prometheus of the nineteenth century. For him no rewards are esteemed excessive, no dignities too exalted. He has been lifted up from the ranks of an ignominious caste into full communion with society, and is encouraged in his fruitful toil with every protection which the power and the gratitude of free people can supply. He dreads no Caucasian wilderness, nor chains, nor bondage, nor torturing vultures, but goes forth to his ministrations of mercy like the wise man of the preacher, bearing length of days in his right hand, and in his left hand riches and honor.

We will proceed to show that the fable has not exaggerated the reality, and that the contrast we have attempted to indicate is amply exemplified in the past history of physical science.

We have been spared the necessity of entering into any very elaborate argument, to show the degraded condition of physical science in its application to the useful arts among the ancients, a condition which the foregoing interpretation implies, by the diligent pen of one of the most profound critics and accomplished scholars of our time. The questions which Mr. Macauley has once argued, rarely admit of farther debate. In his masterly dissertation upon the Baconian philosophy, and the new impulses it gave to the prosecution of physical science—the utter barrenness of all the old philosophies previous to the reformation is exhibited with such demonstrative energy, that we cannot feel that any accumulation of evidence on our part would add strength to his proofs, or increase our readers' confidence in his conclusions. At the best, we could but prove what none will be disposed to deny, that in nearly every department of natural science the ancient philosophers adopted a system of investigation fatally vicious—that they prosecuted it for no adequate objects, and that they achieved comparatively

none of its highest results. That the position of the operative before the law, was unjust and discouraging; before society, degrading; and that the nature of his pursuits effectually foreclosed his claim to any of the rewards to which an honorable and meritorious ambition would aspire.

Not only was all experimental science among them smitten with this abiding curse of barrenness, and degraded by the servile outcasts, who alone could stoop to officiate in her ministry—but the philosophers, those who should have been the lights, instead of blind guides to the industrious multitudes, looked down with scorn upon every attempt to direct the operations of nature to man's physical comfort. It was a source of infinite mortification to the wisest of them to be detected in ministering, however indirectly, to the practical wants of life. "To tell you my opinion now of the liberal sciences," says Seneca, "I have no great esteem for any that terminate in profit, or man's physical well-being; and yet I shall allow them to be so far beneficial as they only prepare the mind without detaining it." Eudoxus and Archytas, it is said, did so far forget the DIGNITY of Philosophy, as to profane geometry by a temporary application of its principles to the useful arts; but when they were discovered by Plato, their teacher, he denounced with great severity, "their unmanly and sordid effort," we quote from Plutarch: "to corrupt and debase geometry by causing her to descend from incorporeal to intellectual and sensible things, and requiring her to make use of matter which requires much manual labor, and *is the object of servile trades.*" The chiding was efficacious. The humbled disciples abandoned their unworthy project with precipitation—Archytas to write his treatise on the number *four*, and Eudoxus, we may presume, to prosecute some no less elevating calculation.

There was one man among the Greeks from whom we might have looked for a superior philosophy, the character of whose mind and pursuits should have taught him, at least, that there is no irreconcileable hostility between man's physical and his spiritual welfare; but even Archimedes could not emancipate himself from the absurd prejudices of his time. Though the machines which he had contrived were the terror of his country's enemies, and though his marvellous penetration and clearness of intellect, which even in the time of Cicero had passed into a proverb, have associated his name with physical laws that will preserve it immortal as themselves, yet he did not affect to conceal his contempt for every result of his genius that might tend to the material comfort of his kind. "He had such a depth of understanding," says his biographer, "such a dignity of sentiment, and so copious a fund of mathematical knowledge, that though in the invention of these machines he acquired the reputation of a man endowed with divine rather than human knowledge, he yet did not vouchsafe to leave any account of them in writing, *for he considered all attention to mechanics, and every art that ministers to common uses, as mean and sordid, and placed his whole delight in those intellectual speculations, which, without any relation to the necessities of life, have an intrinsic excellence, arising solely from truth and demonstration.*"

To these, perhaps unnecessary details, we may add, upon the authority of Pliny the younger, that Rome does not appear to have produced a single professional physician before the Empire. For mere external injuries, which might be prevented from preying for life upon the constitution of a patient, Plato, in his Ideal Republic, would barely tolerate the ministrations of medical aid; but why, said he, perpetuate the existence of a constitutional invalid. He cannot study—he cannot think. On such a man, the offices of the physician are wasted. The sooner he is removed, the better for himself and for those he leaves behind him. Such was the prevailing tone of all the ancient thinkers upon this and kindred subjects. All inquiry into the laws of matter, "which was the object of servile trades," had to give place to the more elevating speculations about final causes, the mystical properties of numbers, the various ways of attaining unattainable conditions of mind, the differences between *diaphora* and *adiaphora*—between *proegmena* and *apoproegmena*, and similar debates *de lana caprina*, which

seemed to have supplanted every sympathy with the wants of our corporeal nature, and to have engrossed all the loftiest aspirations of their philosophies.

It is almost needless to pursue the destinies of our race through the dark valley of the middle ages, to learn the condition of physical science there. It had no condition. It could hardly be said to have any existence. Though the properties of the fulcrum and the principles of the hydrostatic paradox had already been propounded by Archimedes—yet the sciences of mechanics and hydrostatics remained perfectly stationary for nearly two thousand years, and were not awakened to newness of life until the time of Galileo and Stevinus. Though the manufacture of glass must have been understood in the days of Socrates, yet the invention of the telescope, which would seem to be an almost obvious result, was not made until about the commencement of the seventeenth century. Comparative anatomy and zoology were taken up by Blumenbach and Cuvier, where they had been begun upwards of twenty centuries before, by Aristotle. John Manardi, a contemporary of Luther, was obliged to go back for about the same period to find the science of botany, where it had been left in its feeblest infancy by Theophrastus.

We can imagine the progress which the sciences of medicine and anatomy must have made, from the fact, that there is no satisfactory evidence that the dissection of the human body was even legalised until, in the sixteenth century, a council of the church, summoned for the purpose, at Salamanca, had resolved that it might be done without peril of souls.

Nor is this all. Not only did the acquisitions of the past receive no increase from their passage through the intellect of the twenty generations which succeeded them, but, on the contrary, they were so entirely refracted from their original proportions, that they seem at times to have been to those who inherited them, rather a curse than a benefaction. Their chemistry was alchemy, which, allying itself in turn to the dreams of the Cabbalists, of the Rosicrucians, and of the Theosophers at each successive step, wandered farther and farther from every practical truth. Their astronomy was astrology. Their mathematics was mystical arithmetic; and their physiological science was demonology and witchcraft. The sagacious Kepler was himself an astrologer; and Tycho Brahe, says Gassendi, his biographer, kept an idiot about him for the benefit of his prophecies, to which this prince of astronomers, as he was called, was accustomed to listen as to revelations.

But we will not multiply proofs of a fact which has been written with a finger of light upon almost every page of history—that the experimental sciences had no substantial existence—no powers of self-maintenance and self-propagation previous to the fifteenth century, and that their application to the useful arts is a glory which belongs entirely to modern civilization. And why was this? —why was it left to the men of a later age—to the pupils of Bacon—to the offspring of seventy generations of thinking men, first to penetrate the dark realms of the material universe—to explore its inexhaustible resources, and to adapt them to the comfort and happiness of mankind? By what spell enchanted—to what idol kneeling, was the genius of those ancient Greeks—the countrymen of Pythagoras, of Socrates, of Plato and of Aristotle—that they left their posterity to strike the first alliance between philosophy and the useful arts?

We must find our answer where the world has been but too much disposed to look for example and advice—in the ill-advised political and social systems of the ancients, which compressed in their iron embrace the intellect of all the ancient world, and shaped it to those results.

In the theory and in the practice of the governments of antiquity, *man* was but a fragment of the *state*—in their theocracies but a worm of the dust, without any individuality, and protected by no political guarantees which were not liable to be withdrawn in any exigency. Industry, liberty—and even life itself—were but public property, held to private use at the will of the state. The individual man was nothing;—the state was everything.

Are proofs of this required? Look at the ostracism of the Greeks, which, by the operation of the law, acting through its usual and constituted or-

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gans, drove the citizen, like Ishmael, naked and an hungered, from his home, his friends, and his country, without even the forms of a trial or the pretence of a crime. Look at their international law, which treated all foreigners as barbarians, and all barbarians taken captive in war, as slaves by the *law of nature*. It was enough that they were the enemies of the state;—what kind of men they were, the state would not stay its vengeance to inquire. Again: mark the dictator at Rome, at whose nod every other law became speechless—every legal or natural right of the citizen was extinguished, and who held in his hands absolute control over the life of every Roman subject, "*that the state should take no detriment.*" And, finally, look at their theogony, which subjected all the wishes, intentions and powers—not only of men, but of gods themselves—to the blind control of an omnipotent, unrelenting, unappeasable destiny—an overruling fate, deaf to the voice of prayer and supplication, even when put up by Jove himself—blind alike to the beauties of virtue and to the deformities of vice; regardless of all powers in the heavens above or in the earth beneath, or in the waters under the earth, save its own inscrutable will; for such are the attributes uniformly ascribed to this dread omnipotence by the poets and the theosophers, the only evangelists of the Pagan faith.

Now, the natural theologies of all nations have ever been but an idealization or an exaggeration of some predominating national sentiment. *Power*, in whatever form, exhibited among the Pagans, in time received the glory of deification. Destiny was but the state seen through the religious imaginations of the Greeks. What fate was over the universe, that was the state over the individual man. Its will was law—from its necessities there was no escape but in sacrifice; from its command there was no resource but in obedience. Man had no rights so personal or so private—no sentiments so sacred, but they might be crushed under the wheels of this insatiable Juggernaut. The son might be torn from his parents at an age when the watchful eye of parental tenderness was still required to guard his yet unpractised steps, and dedicated to her perpetual service. At her remorseless summons, the pride of the father and the yearning affection of the mother were suppressed. Even the last most sacred citadel of human liberty, the individual conscience, was obliged to suspend upon its outer wall a banner of her devising. A neglect of this profession of allegiance was but too often fatal, not only to the liberty, but to the life of the patriot and the sage—but the terrors of its penalty appear never to have awakened for a moment, even in the breast of the wisest of its victims, the suspicion that the state had exceeded her rightful authority, or had exercised a single unnecessary prerogative.

In this absolute negation of political individuality it is sufficiently obvious, that the happiness and comfort of the masses of men never entered into the projects of the statesman, or the speculations of the philosopher. What should ameliorate their physical condition—what should make them happier and better as individuals—what should dignify them in the world's esteem by associating their pursuits with the honorable accessories of talent, of virtue, and of social distinction, was unworthy the deliberations of enlightened men. We look in vain throughout the ancient world for the exhibition of any systematic philanthropy. The great heart of the state never beat in harmony with the pulse of the individual. Why study to furnish new sources of enjoyment, new facilities for avoiding, and new faculties for encountering the calamities of life, to those whose happiness or whose misery is alike unimportant? The state only needs soldiers, priests and magistrates; such was the political philosophy of Aristotle. Poets, philosophers and artists may be encouraged, for that while they adorn and discipline the mind, they give moral strength to the government.

"But," continues the philosopher, men habitually addicted to the lowly pursuits of providing necessaries and accumulating gain, are unfit members of our republic, because they are incapable of relishing those enjoyments in which we have supposed their chief pleasure to consist. They are to be classed with things necessary to the commonwealth, but not as citizens; and a commonwealth founded on valour cannot provide for the happiness of men who are but fee-

bly touched with her charms. Such men, therefore, though necessary to a state, are no more parts of it than food, though necessary to an animal, is part of an animal, or than tools are part of the work they are employed to make. The productive labor of peasants and artizans, how necessary soever to the purposes of outward accommodation and comfortable subsistence, is not to be confounded and classed with the political functions of *soldiers, priests* and *magistrates.*"

Here we have the whole platform. The artizan may not participate in the happiness which the commonwealth promises to its citizens, because his labors do not qualify him for any of the great departments of the state service. It will be perceived that Aristotle is not looking for strong and courageous men, but soldiers; not men of judgment, familiar with and respectful of the laws, but magistrates; not devout men, fearing the Gods, but priests; *not a man, but an instrument;* and whoso was not being qualified to serve the state in one of these capacities was not worthy of the state. Hence the disrepute, nay, the disgrace which attached to all the industrial professions. Hence their mechanics, their miners, their sailors, their merchants, and even the instructors of their younger children, were almost all slaves.* And hence, and this is the most calamitous feature of their condition—all that infinite variety of facts, which a free, intelligent and prosperous people engaged as with us in the countless departments of industrial labor, are hourly accumulating for the study of the philosopher, and for the practical education of every reflecting citizen, was comparatively lost to the ancient world. Those frequent lessons which the processes of the machine-shop and of the laboratory, teach to every intelligent and enterprising observer, fell in that old society upon the stricken senses of slaves who were usually too ignorant to observe—who cared for nothing less than the improvement of their craft, and who hated nothing more than to benefit their tyrannical masters.

It is of course to be conceded, that certain departments of intellectual and æsthetical culture were pursued by many of the elder nations, and particularly by the Greeks, with unrivalled diligence and success. In the fine arts their genius has probably never been equalled. Their geometry we read in our schools. Their metaphysical and ethical philosophy is most profound and acute, and much of it is still respected as truth, while to the throne of poetry they still challenge the pretensions of all posterity. Their prodigious success in all these divers orders of culture would at first appear inconsistent with the alleged subordination of all their energies to the service of the state. But upon a little farther examination, it will appear rather a confirmation of, than an exception to the proposition, that the state claimed the individual service of the citizen. Their poetical literature was almost the sole repository of their religious creed, as it was certainly its most important ally. Their philosophy and history, were encouraged chiefly for the benefit the statesman derived from their study—nor did the philosopher or the historian dream of giving to his labors a loftier or a more comprehensive influence.

History has preserved for us a letter written by Alexander the Great, from the East, immediately after the battle of Guagemala, which presents this fact in a striking attitude.

"Alexander wishing all happiness to Aristotle. You have not done right in publishing your select lectures. Wherein shall we be distinguished above others if the important things we have been taught, be communicated to the public? I would rather surpass other men in the best kind of knowledge than in power. *Farewell.*"

And what was Aristotle's reply?—Did he reprove the selfishness of his haughty pupil? Did he tell him that philosophers were sent into the world to improve the condition of men, and not to indulge the pride of princes?—That our talents are given us by the same good gods who cause the dews of heaven to descend; and that, like them, they should be dispensed upon all mankind—as well upon the just as upon the unjust? Did he lift himself above the humiliating philosophy of his time, and, in language like that with which Fenelon rebuked his royal pupil, the headstrong Duke of Burgundy—a prince no

* A law prevailed in Thebes, says Aristotle in his Politics, which forbad any shop-keeper holding office, who had been engaged in such business within ten years.

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less ambitious, no less proud, and scarcely less talented than the illustrious son of Philip? Did he say to him —"Young man, know that all men were not made for one; that the one was made for all, and to work for the happiness of all?" Alas! the world was not old enough either to heed or to utter sentiments like these. Even in the time of Fenelon they were not tolerable to the tender ears of kings.

This was Aristotle's reply:

"You wrote to me concerning my Select Lectures—that they ought not to have been published. Know that, in one sense, they are still unpublished, as their meaning will be fully apprehended by those only who heard them."

Can it be believed that this is the letter of one of the most comprehensive observers, and probably the most acute thinker of antiquity—of Aristotle, the great philosopher of Stagyra, who was destined to exercise an unlimited authority over the intellect of mankind for nearly two thousand years? Mark his defence!

He begins by admitting, impliedly, that all his faculties of body and mind of right belonged unto and were the exclusive property of this imperious boy. He next admits that the people have nothing to do with education, and avows that he never contemplated dispelling any portion of their ignorance by his publications; and finally, he deliberately rests the fame of his king for the future, and the burden of his own defence, upon the prospect that the ignorance of the masses would be perpetuated forever.

Such was Aristotle's view of the philosopher's mission among men. From one learn all.

Even in the fine arts, which, with their poetry, from the peculiar and perpetual glory of the ancients—in their painting, in their sculpture, in their architecture, we observe the same engrossing spindle winding in upon itself every product which their genius and their taste could devise.

Renowned as the architecture of the Greeks has ever been, yet, even in Athens, the stranger would not have dreamed, until he approached the public squares and the Acropolis, that he was surrounded by the very noblest specimens of that noble art. All the architectural genius—not only of the Greek, but of the Asiatic and African nations — was exhausted upon the earthly tabernacles of their gods, or upon other public edifices appropriated to the state's service, while the abodes of their most distinguished men were notoriously mean. A large private establishment was looked upon as an insult to the state, and an affectation in the proprietor. Demosthenes publicly reproached the wealthy Midias for his large house at Eleusis, as if it were an outrage upon public decorum. Indeed —and this is the *crucial fact—domestic* architecture was not looked upon as one of the fine arts. The same observation may be made of the plastic art, and of painting. "I know of no instance," says Heeren, in his Politics of Ancient Greece, "of a statue that belonged to a private man; and no trace is to be found of celebrated private pictures in those times."

These illustrations, we conceive, will abundantly suffice to show the uniform tendency of the political institutions of the world before the Christian era, to absorb all the vitality and best energies of the people to their own uses and support. We shall not pursue this tendency through the middle ages; nor shall we attempt to show how far the absence of individual freedom, and of more liberal views of the functions of government during that period, are accountable for the utter stagnation of natural science which we found to exist there. There is great difficulty in discriminating this from the multitude of other influences that were operating unfavorably upon the intellects of individual society; such as the continual agitations of war, the consequent insecurity of property, the servitude of opinion, and the want of a universal language, each one of which causes was adequate to produce all the effects we have attributed to the want of a liberal social system. We do not conceive, moreover, that any nation's history, or any series of events can be found, to exhibit with more distinctness the dependence of the physical sciences, and of their corresponding arts upon the political importance of the individual man, than those to which we have alluded. If we have been at all successful in carrying with our own convictions the convictions of our readers, we have shown that it is because the an-

cient states and the old theocracies did not deem man's personal happiness a sufficient motive for invoking to its promotion the studies of the philosopher and the countenance of rulers; that the contributions they have made to the humane sciences and arts are comparatively so unimportant, and that so few of those material comforts which, in our day, smooth man's path along the journey of life, can trace their genealogy beyond the last two or three centuries of his history.

We have thus far labored to present a negative statement of the law, according to which a degraded estimate of man's individual destiny acts upon those arts and sciences which most directly concern his personal happiness. We have shown what, in the absence of a proper social theory, the ancients did not achieve in the physical sciences. We now propose to state this law in a positive form, and from the facts which it is the boast of modern civilization to have supplied, to show how far the modern doctrine of political science, as it finds its expression under constitutional governments, is directly instrumental in encouraging industrial pursuits, and in directing the attention of men of science to the study of material nature.

It is now about three hundred years since the decisive blow was struck which was to emancipate the human mind from the fatal dominion of the past—since the principle was irrevocably established, that man was not intended by Providence merely as an appendage of some principality or power, —a new member, an additional sense, a kind of supplementary instinct, provided to gratify the caprices or to work out the small ambitions of the few who, as accidents of accidents, were charged with the office of his government. It was not until after the fifteenth century that the modern doctrine of *individual independence* began to exhibit method, and to take impulse. Not that this class of opinions has been entirely the growth of the subsequent period—which is not the case—on the contrary, we may find the germ of the representative system, and of constitutional guaranties, one or both, more or less frequently exhibited in the monarchies, the feudalities, and, above all, in the ecclesiastical corporations of the middle ages—at no time, however, before the reformation, were they *established*—at no previous period were they beyond the reach of accidents which might have proved fatal to, or at least have procrastinated the day of their supremacy.

But the waters of European society were about to be troubled again to new and unwonted issues. The spirit which moved over that vast abyss of elemental strife into which the Roman civilization had dissolved, had said, let there be lights in the firmament of heaven to divide the day from the night, and let them be for signs and for seasons, for days and for years—and it was so.

That Providence, which never designs what it does not provide means to execute, had already selected the agents who were to carry out its purposes. The fullness of time had arrived, when they were to go forth upon their mission, both to destroy and to fulfil. Society had been preparing for centuries the material wherewith the work of reconstruction was to go on; and all the nations of Europe—nay, of the whole civilized world, were called from their short-sighted ambitions, and from their enterprises of a day, to engage in or to observe the progress and the processes of this new creation.

The *church* and the *schools* were the two sanctuaries in which, at this period, all the venerable absurdities of ancient, social, and political philosophy that had survived the mutations of time, and the convulsions of nations, still found a refuge. But when Luther erected against the frowning towers and high places of the Italian Church the tremendous enginery of his passions, qualified, as they were, for their work of destruction and reform, by his impregnable honesty, and almost insane zeal—and when Bacon lifted up his voice against the organized absurdities of the schools, in the spirit of prophecy to which he had been inspired in the visions of his deep and comprehensive intellect—from that time forth, commences a new era in the history of humanity. Religion awoke from her enchantment of a thousand years, and the strong holds of superstition and idolatry, as if instinct with shame, fell confounded before her advancing footsteps. The temples and the altars, which still stood open to the worshippers of Aristotle, and which had reeked with the sacri-

fice of every new opinion, and of every original conception of the human mind, for nearly two thousand years, were now to be closed in dishonor. The rites by which their unhallowed worship had been solemnized, were soon to cease, and the hollow image of their perverse idolatry—Aristotle himself—like Dagon of old—as commemorated by Milton's indignant muse, was destined for ever after to lie prostrate,

> "With heads and hands lopped off
> In his own temple, on the grunsel edge,
> When he fell flat and shamed his worshippers."

Freedom of conscience, and freedom of thought, were from thenceforth established. Imperfectly, it is true. Their supremacies were not universal nor undisputed, neither are they now, even among the wisest and the best of nations; but yet they were then, and for the first time, placed upon a foundation from which neither social convulsion, nor the accidents of time, nor the caprice of men, can ever again cast them down.

But it is not often given to any generation to witness both the beginning and the end of a great revolution of opinion. Luther and Bacon, like Moses, to whose destiny theirs has been more than once felicitously compared, were summoned from the work which they had so auspiciously begun, to the fulfilment of a more inexorable destiny—before the tribes whom they had led forth from the house of bondage, had entered into the land which had been promised them for a possession; but they had lived long enough to behold, from the summits of their own intellectual eminence, and to point out to their followers, the distant territory to which they were journeying. They had already marked out the route which led to it, and had promulgated with suitable solemnity the laws which would aid them in its acquisition, and secure them in its possession. Their work was now done, but not so the work which they had prepared. They left behind them a vast estate of influences, to be directed, of duties to be discharged, and a golden harvest of promised rewards to be gathered. But unlike Moses, they left their final trust to no single Joshua or selected judge. The true successors of Bacon and Luther, were not individuals, but institutions, as their promises concerned no separate order or section of humanity, but the whole human race.

From Luther sprang Puritanism, pregnant with every species of ecclesiastical insubordination, from the most uncompromising Calvanism to the wildest Transcendentalism.

It broke up the oppressive dominion of authority in the church, and enthroned the individual conscience. It taught men to question, and to judge their spiritual advisers by the light of their own reason—for it taught them, that before their God all men were equal. From doubting the infallibility of the human mind, in matters of religion, men were tempted to question the divine right of their temporal sovereigns. Hence from Puritanism sprang the religious wars of England—the great rebellion, and the revolution—and to what end? that hearts might be strengthened, and minds be disciplined, to receive the new dispensation of human rights, which was in store for those who could survive its fiery trials. Upon the devoted victims of these civil wars were concentrated all that is most horrible and appalling, both in political and ecclesiastical oppression. And to what end? that they might be qualified by their experience—by their agonies to found new and wiser institutions in a distant land, where the principles which had cost them so much to defend were in turn to give to them prosperity and happiness, and to the oppressed of every nation, refuge and protection.

To Bacon, on the other hand, it was given to unseal the everlasting fountains of the inductive philosophy—to hold the light by which Newton was to unmask the mystery of the stars—to give to the useful arts, new dignity and new impulse, by furnishing new motives and new facilities for their prosecution. He established a community of interest, and a friendly alliance between science and the useful arts, by demonstrating their common destiny. He discharged the artizan from the bonds of his Gibeonitish slavery, and made him one of the largest of the three estates of society, by awakening in him new hopes, and by giving activity to the higher sentiments of his nature. He thus multiplied indefinitely

new centres of industry—from new production came new modes of distribution—from surplus production came expanded commerce, and every new commercial relation was another pledge for the peace of the world and harmony among nations.

But more than all are we indebted to Bacon for the confident exhortations to self-reliance, which are given us in every page of his philosophy—and to his vigorous protest against the authority of the past. Luther had defended the freedom of conscience from the oppression of the Church. Bacon vindicated the freedom of the mind from the oppression of the schools. Luther taught all men to inquire for themselves in matters of religion. Bacon taught all men to inquire for themselves into the laws of nature, and if need be, to put her to the torture for truth's sake, but never to trust to any authority, save that of their own senses, and their own judgment.

In 1776, we find the stars of Luther and Bacon in conjunction. They constellated the destiny of America. Freedom of conscience, and freedom of inquiry had, at this time, in our country, first discovered their mutual dependence, their common power, and their common destiny, and now sat down together to write out the formulas of the new science of government, and of industry, which they had called into being. They declared all mankind to be by nature, free and equal, before *God* and the *law*. They asserted man's capacity, and they established his right to govern himself. They discouraged all distinctions among men, save those which virtue and talent confer. They declared the happiness of each individual to be the interest of all; that the state existed only for man, not man for the state, and that laws should exist only to secure these results. Upon the basis of these new principles of social polity, the American *people* declared themselves a sovereign state.

But their whole inheritance was not yet made up. Accompanying this charter of human rights, which defined and settled his proper relations with the state, man received a new science to conduct and to assist him in the new career which was opened before him—a science which was to enable him more completely to realize all the fruits of his industry—a science which was to multiply indefinitely, both his susceptibilities and his means of happiness—a science which is destined to connect in a bond of friendly relationship, the industry of all the nations in every quarter of our globe.

This was the science of *Political Economy*.

In the same year that America declared her independence, and therein her sense of the dignity and the importance of the individual man, Adam Smith published his Wealth of Nations, a work which, more than any other that has ever been written, deserves to be considered the *novum organum* of political economy. In the same year that we attained our political majority among the nations, endowed with a new system of polity, which made the happiness of mankind the sole business and end of government, the light of a new science was added to our inheritance, to complete the beneficent purpose of our fathers, and to light our footsteps—it is our privilege already to speak the language of history—to light our footsteps through a career of unexampled prosperity and honor.

At the great creation, the favorite and most exalted work of the divine energy, was reserved for the last. In the generations of the heavens, and the earth, man was made on the sixth day, and of all the works of God's hands, man alone was formed in his image. So in the generations of the nations—in the generations of society, man, the individual, was the last and greatest creation. No longer a supplementary being—a soldier—a priest—an implement—a craft—a complete man, himself the centre and the circumference of a system knowing no interest higher than his own, except that God's, in whose image he is created, and putting faith in no laws which do not recognize in man's happiness, the great end of their existence.

This we conceive to be the great result of modern history—its new theory of manhood, whereby each individual is made a law unto himself—a theory, which was enacted into a permanent tendency of our institutions, by the unanimous declaration of the thirteen United States of America in 1776.

From which we are permitted to conclude, that whereas, in the ancient

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societies, man existed for the sake of the state, now the state exists only for the sake of the man. Whereas, the purpose of government was not man's happiness, but its own aggrandizement; now man's happiness only is consulted, and the aggrandizement of the state is deplored. Whereas, literature—science—art—nay, religion itself, were encouraged, but as they subserved the purposes of the few, and strengthened their control over the many—now they are encouraged, and only so far encouraged as they tend to ameliorate and improve the condition of universal humanity.

The question now presents itself with which we are most immediately concerned. How do these new doctrines of government, and this new theory of man, influence the study and prosecution of physical science? How do they concern those who minister to and interpret the laws of material nature? What new encouragements do they offer? What new privileges do they grant the artizan, which were denied him under the old civilizations?

In the first place, they open the entire world of nature to his investigation. His new born individuality gives him the right to inquire into every thing that is—to know the purpose of its being, and the law of its action. The wide champaign of the universe is before him; and neither state nor church—neither sect nor class, nor order of humanity, dare question his right to lay hold on the truth, wherever he may find it. From the philosopher, nature no longer claims to have any inviolable secrets.

He has begun to learn the true dignity of his new vocation, which has placed him in a position to despise the temptations of patronage, and armed him with the strength to defy its frowns. He will speak his convictions if he choose about the motions of the earth, he course of the stars, the causes of the tides, without fear of the Inquisition or the terrors of the stake. He will speculate and write freely about the constitution of our planet, its beginning and its end, its cause, its process and its result, without fear that he is perilling the salvation of souls, or his own peace or liberty.

We behold, in this enlarged freedom of inquiry, and the new realms of nature opened and to be opened to the investigations of philosophy, the first great result of the modern view of man's social and political destiny.

Again: Man, says the modern state, was never destined by nature for a drudge. It was not intended that any one class of humanity should be condemned to hew wood and draw water all their days for the convenience of another class, and without hope and without reward. The soul of man is endowed with certain tastes and susceptibilities which need to be gratified—which must be gratified—and to suppress which, is to deprive the human character of all its symmetry, and life of its most exalted pleasures. A blessing, therefore, saith the state, upon him who will reconcile the culture of man's spiritual tastes with the supply of his physical necessities.

Now, it unfortunately so happens, that, under no form of civilization of which we possess any knowledge, have the supply and the diffusion of the necessaries of life been sufficient to enable any considerable portion of our race to respect these claims of their higher natures. As we have before remarked, the great mass of society cannot presume to have any ideal life. The rewards, the distinctions, the triumphs which make up so large a proportion of the happiness enjoyed by men, are dead to them.* They are forever possessed by their necessities; and in their incessant search after the means of living, they have been forced to forget the ends of life.†

The obvious, and, indeed, the only remedy for this lamentable social exigency, is to be found in the enlargement of our acquaintance with the powers and the resources of nature, by

* "Nec ubi tantus ac tamdiu paupertati se parsimoniae honos fuerit."—*Livii Præfatio.*

† "Examine the children of peasants," says Godwin. "Nothing is more common than to find in them a promise of understanding, a quickness of observation, an ingenuousness of character, and a delicacy of tact, at the age of seven years, the very traces of which are obliterated at the age of fourteen. The cares of the world fall upon them. They are enlisted at the crimping-house of oppression. They are brutified by immoderate and uninterrmitted labor. Their hearts are hardened, and their spirits broken by all that they see—all that they feel, and all that they look forward to. This is one of the most interesting points of view in which we can consider the present order of society. It is the great slaughter-house of genius and of mind. It is the unrelenting murderer of hope and gaiety—of the love of reflection, and the love of life."

which a supply of the actual wants of life may be rendered more accessible to the industry of men.

The brief history of our own country shows that her institutions are in sympathy with this remedy; and we may behold a practical demonstration of its efficacy in the condition of society about us. When, in the history of the world, was so large a proportion of any people ever known to be engaged in productive labor, and in the industrial pursuits proper, as in this country at present? And where has the industrialist found so little in the character of his calling to contend with, and so much encouragement from every class of society to advance his social position? Men of science are, day by day, allying themselves with the practical operatives, to whose labors they give scope and elevation, and in exchange, they take to their own speculations practicability and result. This process of unifying their respective functions is going on, and will continue to go on as it has done, until every operative shall become a man of science, and every man of science, in turn, become an operative;—until our country shall be populated with intelligent and faithful observers, ready at all times to seize upon and avail themselves of every important fact which nature may unfold before them. And this leads us to the third influence of the modern theory of manhood upon the developement of physical science.

Every intelligent operative is himself the centre of a large sphere of important influences. When we consider the number of these centres, and their ever enlarging capacities for observation, how can we sufficiently estimate the importance of all the new facts which the industry of a country like America will accumulate year after year? or their value, in perfecting the practical education of the artisan, and in giving accuracy and breadth to the speculations of the philosopher. Without any political organization for the purpose; without court patronage; without institutions of science supported by government; without men of science, the pensioners of royal bounty—but by the simple enfranchisement of our natural impulses, not only every city, and every county, and every town, but, we may say, almost every man, has or will become an important auxiliary in building up and propagating the useful arts and sciences throughout our land.

Our country has become a vast arena of endless experimentation. We can scarcely turn our eyes upon any object or upon any person but we are immediately transported by association to the machine-shop and to the laboratory; to the cunning artificer, or to the patient angler in the great deep of nature's unexplored domains. Every thing, in a word, gives evidence of a universal—a deep and an abiding interest in whatsoever will help us in subjugating and comprehending the phenomena of nature. Where so large a proportion of the public intelligence is quickened to this species of inquiry by so universal an interest in its results, the facilities for diffusing practical scientific information are of course indefinitely multiplied.

Indeed, even now, in our own country, these facilities are so abundant, that a new discovery is frequently domesticated as an art, before it finds a page to bear record of it in the annals of science. The moment an individual advances a step beyond the line of the mighty regiment of industrialists with whom he marches, he is put to the question. The burden of his communication is straightway heard and comprehended by all. It enters directly into the general fund of intelligence, and forms the basis of new projects and new discoveries; for the general intelligence is sufficient to take up and assimilate its more important features without delay or abatement. We can best understand the advantage of this general and educated interest in physical improvements, by observing the consequences of its absence.

The discovery of the earth's motion, by Copernicus, lay for upwards of eighty years idle and unavailable on the tables of some half dozen philosophers, before any successful attempt was made to use it for scientific purposes. At the time of its promulgation it did not explain any of the phenomena of planetary motion, then known, which were not equally explicable by the Ptolemaic hypothesis. So far behind its comprehension was even the scientific intelligence of the period, that the very system which consigned Galileo to the dungeons of the Inquisition, and to the

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more humiliating necessity of a public recantation of his "*abominable heresies*" —that same system had been ushered into the world some eighty years before, at the earnest solicitation of one cardinal, and was dedicated by special grace to one of the popes. Its guardianship was made the special charge of the church, and so continued, until nearly the lapse of a century, and until after an attempt had been made to apply it, for the first time, to some practical purpose, when it was found, to use the language of the council, "that to maintain the sun to be immovable and without local motion in the centre of the world, is an absurd proposition—false in philosophy, heretical in religion, and contrary to the testimony of Scripture." Behold all the world, here, for nearly a century, lying out of the use —if we may be pardoned the expression—of a discovery which is at the foundation—nay, which constitutes the very corner-stone of modern astronomy!

Nor does the evil stop here. Our own generation, and every generation which shall succeed us, will have to mourn that unfortunate parenthesis in the history of planetary science—the want of that diffused intelligence, and of that general comprehensive interest in all the new revelations of nature, which we have found so abundantly manifested in our own time. The age could not then keep company with the philosopher, and the philosopher can never go far alone. If he be not accompanied and sustained by his age, he will be compelled to halt, and but too frequently to abide its coming, in want, in exile, or in prison.

We have thus, very imperfectly, stated some of the manifold obligations of the useful arts and sciences to our modern theory of civil government.—Any general statement must necessarily be unsatisfactory; but we hope we have made it appear, that discoveries and improvements in those arts and sciences which most contribute to the happiness of the masses, will most abound in a community where the happiness of the masses is recognised not only speculatively, but practically and institutionally, as the end and purpose of government; and that the more completely the true theory of government is realized, the more ingenuity and energy will its subjects exhibit in devising new modes of multiplying among their fellows the comforts and conveniences of life. We hope, also, that in the progress of our remarks, the grounds of our superior confidence in the efficacy of political reforms to ameliorate the condition of society, have been made sufficiently to appear.

We absolve our readers, for the present, from considering the reflex influence of the physical sciences upon the political institutions of a people—their agency in emancipating the national mind from superstitions and prejudices, and in developing the sentiments of self-reliance and of individual independence, for they are subjects which possess sufficient interest and importance to deserve a separate discussion.

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# THE GAME OF NORTH AMERICA;

## ITS NOMENCLATURE, HABITS, HAUNTS, AND SEASONS; WITH HINTS ON THE SCIENCE OF WOODCRAFT.

BY FRANK FORESTER.

## No. II.

## THE WOODCOCK.

The year has now arrived at the first week of August, and the earth is scourged with almost intolerable heat. The dwellers of large cities are all on the wing for the fresh breezes of the Atlantic coast, for the mineral springs among the cold and quiet mountains, for the snug farm-houses in some green and shady vale.

Many of these, sportsmen in their own conceit, and in that only, go forth encumbered with their Purdeys or their Mantons, and accompanied by their high-bred and well broke dogs, in the vain hope of finding sport in the moist woodlands or the marshy meadows, that shall relieve the tedium consequent on change from the stirring habits, and the bustle of dense streets, to the monotonous tranquillity and calmness of the country.

In the *vain* hope, I said—and wherefore vain? methinks, I hear the reader ask, unlearned in the mysteries of wood and river.

Vain hope, dear friend, because, of all the months in the woodland year, this burning month of August is the most barren to the gentle sportsman, of all legitimate occupation. No species of seasonable game is to be found, in this month, in sufficient numbers to render its pursuit exciting; while the fierce heat of the summer sun renders his sportive labor toilsome to the man; and the lack of game is apt to produce carelessness, headstrongness, and disobedience to command, in his four-footed comrade.

It is for these good reasons, that the gun of the genuine sportsman hangs idle on the antlers in his hall, with pouch, and flask, and empty gamebag at its side, during this weary month; while his employment in the field is limited to keeping his dogs in exercise, and to preparing them by steady house-breaking, for the sport of the more genial autumn.

During this month of August, the English snipe, having withdrawn from our latitudes in June, is luxuriating in the Arctic regions of Labrador, and scarce-thawed Greenland. The quail is protected by wise laws, rearing her first bevy, if the season have been cold and backward—her second, if the times have been times of promise to the expectant sportsman. The ruffed-grouse is protected likewise; but, as I think, improperly, holding, myself, this month to be the fittest of the twelve for his legitimate and pleasant slaughter. The woodcock, too, our own woodcock, our present topic of discourse, hath departed—vanished from his haunts of last month, for a season—not to be found of dogs, or shot of men, until crisp frosts shall have embrowned the meadows—until the maple shall have changed his leafy green for hectic crimson.

It is strange, that no naturalist should have noticed this brief migration; for none have done so—none, at least, of whose writings I am cognizant. It is scarcely less strange that, until very recently, even sportsmen, who knew and perceived the sudden disappearance of the bird, should have doubted or denied the fact of its migration at this period.

When first I began to sport in this country, some fifteen years ago, there were two theories current among sportsmen, whereby to account for the fact, that in woods, where the birds warmed in July, he was hardly to be found in August. Both theories, as I have proved thoroughly to my own satisfaction, are absurd and futile.

The first was this—that the bird did not, in truth, disappear at all, but re-



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mained on his old ground; though, owing to the fact of his being in moult, he gave out no scent whereby the dog could detect him; and from sickness, or inability to fly with his wonted velocity, refused to rise before the tread of his intruding enemy, the man.

This theory is answered, in a word.. The woodcock, while in moult, *does* give out as much scent, *is* pointed as readily by dogs, *does* rise as willingly before the frosts, and *is* as good upon the table as at any other season. Facts, which are easily proved; since, although the great mass of birds withdraw during August, and do not return before October, a few do still tarry in their old swamps, and may be found and shot, though so few in number, and at so great an expense of time and labor, as to render the pursuit of them toilsome, and productive only of weariness and disappointment.

I have, however, killed them repeatedly, while endeavouring to satisfy myself of the facts which I now assert, so deep in the moult that their bodies have been almost naked, and that they have fluttered up feebly, and with a heavy whirring, on wings divested of one half the quill feathers; and, in that state, I have observed that the dogs stood as staunchly, and at as great a distance from their game, as usual; and that the birds took wing as freely, though, in truth, half impotent to fly.

The other theory was this, which I have heard insisted on as strenuously as the former, that the woodcock, on beginning to moult, betakes himself to the maize, or Indian corn-fields, and remains there unsuspected until the crops have been housed, and the cold weather has set in. That a few scattered woodcock may be found in wet, low maize fields, along the edge of woods, is true; and it is true, also, that they feed in such situations in great numbers, *during the night*, previous to their removal; but that they are ever to be found generally, or for any number of consecutive days or weeks in such ground, is an utterly incorrect surmise, disproved by long experience.

I have applied myself carefully to the investigation of this circumstance; and in the last ten years, have certainly beaten a thousand maize fields thoroughly, with a brace of as good setters, as any private gentleman possessed, at the very period when farmers would tell me "they were as thick as fowls in the corn-fields;" and I have not on any occasion flushed more than three birds, in any one field; nor have I killed twenty-five on such ground altogether.

I think the reader will admit that the two theories, alluded to above, are by these facts indisputably controverted.

And now I must expect that it will be inquired of me, "whither, then, do they go? What does become of them?" To which sage questions it is, I grieve, to say, my fate to be unable to make satisfactory reply.

I was formerly inclined to believe, that when the moult is at hand, the woodcock withdraws to the small upland runnels, and boggy streamlets, which are to be found everywhere among our highest hills, or mountains. That the moulting season is the signal for dispersion, and the termination of all family ties between the young and old birds, is certain. From this time forth, until the next February brings round the pairing time, the woodcock, whether found singly in a solitary place, or among scores of his kind, is still a lonely and ungregarious bird, coming and going at his own pleasure, without reference—undemocratic rascal—to the will of the majority.

In corroboration of this view of the absence of our bird during the early autumn, I was once informed by a gentleman, whose word I have no reason to disbelieve, that on ascending once to the summit of Bull Hill, one of the loftiest of the highlands of the Hudson, with the intent of showing the fine view thence to a city friend, he found the brushwood on the barren and rocky ledges, and even on the crown of the hill, literally alive with woodcock. This occurred, according to his statement, in the beginning of September, when no birds were to be found in the level and wet woods below. He farther stated, that he at first intended to revisit the hill the next day, with dog and gun, in order to profit by his discovery, but was prevented doing so by casual circumstances, until the frost had set in keenly in the woods. He then climbed the hill, and beat it carefully with dogs, without obtaining one point to reward his labor; and on the next day found the swamps below full of birds.

Not vouching for the truth of this tale, I tell it as 'twas told to me;—the teller was a sportsman, and a man of average veracity—that is to say, I should have been inclined to believe any fact he stated, where I could see no interest, on his part, which should lead him to attempt deception. In this case there was no such reason; not even the desire of prevailing in argument, for we were not arguing. I cannot, therefore, well doubt the correctness of his information.

If truly stated, as I believe it to have been, this fact makes somewhat for my former opinion. I have, also, myself, frequently found scattered birds on such hill-tops, and in such mountain-swales, while deer-stalking, in August and September, though not in numbers which would justify the belief in a general migration *en masse* to such localities.

If, however, my half-formed opinion —for it is no more—be correct, the birds are dispersed at this period of the year, and are only to be found, casually, in knots of three or four, and never in greater numbers.

The other, and, on the whole, perhaps more probable suggestion, is this: that, after rearing their young, driven by the heat of the weather—or, it may be, by the temporary exhaustion of food on their favorite grounds, they move farther northward—as does the English snipe, yet earlier in the season, not to return until the premature cold of northern Canada drives them back, to tarry with us a few months on their way southward.

Should this prove to be the case, the woodcock, instead of being termed with us a summer bird of passage, must be regarded as a spring and autumnal visitant, like his congener the snipe,—with this difference, that the snipe rarely breeds with us, going northward to nidificate, while his fellow-emigrant, our *scolopax*, invariably rears his young before going farther toward the frosts of the northern pole.

Of these suggestions my readers must judge whether is the better of the two; one of the two I believe to be the only way for accounting for the woodcock's short disappearance at this season. For the rest, as I leaned at first to the former, so do I now rather incline toward the latter belief, facts not bearing out the former to my satisfaction, although I do not think the question has been, as yet, fully tested by experiment.

It is to be regretted, here, that this question is yearly becoming, in these districts, more difficult of solution; and I am the more strenuous in noting this emigration, because things may come, ere long, to such a pass, that it will become wholly undistinguishable.

When first I shot in New-Jersey, and in the river counties of New-York, the disappearance of the birds was evident enough; because, up to a certain day, they abounded, and, after that, were not. Now, long before the second week of July, the woodcock are exterminated in their summer haunts for miles and miles around our large cities; too many of them, alas! slaughtered before the season, when scarcely able to fly—when nearly unfit for the table —when a game despicable to the loyal sportsman, and a victim easy to the pot-hunting knave, who goes *gunning* with a half-bred, half-broken cur, and a German fowling-piece, dear at a dollar's purchase.

Oh! gentlemen legislators—gentlemen sportsmen,

"Reform it altogether!"

Oh! ye choice spirits, who stood forth, after the long, hard winter and deep snow-drifts, quail-destroying, of 1836, to rescue that delightful little fowl from total extinction, stand forth in likewise now, in protection of the woodcock. Sufficient for the day is the evil thereof. Railroads are ruining the hopes—the pleasures of the sportsman; our best shooting grounds now swarm, on the first of July, with guns more numerous than birds; the Warwick woodlords, once inaccessible to the pot-hunter and the poacher, may now be reached for fifty cents; may now be swept clear in a single day; nay, *are* swept clear of half-fledged younglings, by men, boys, and bunglers, and ruthlessly devoured before the season has set in, by ignorant voracious cockneys.

"Reform it altogether."

Enact that the woodcock shall not be slain—shall not be possessed—as Mr. Blunt possessed him—on plate or in

stomach, until the first day of October. Every true sportsman—every sportsman whatsoever, will go hand and heart with the law—will watch and prevent the illegal sale of the bird; and then, ye gods of woodcraft! Sylvans and Fauns! and thou, friend of the hunter, Pan! what sport shall we have in brown October, when the sere underbrush is bare of leaves to mar the sportsman's aim; when the cool dewy earth sends up the odor of the game in fresh streams to the setter's keen and sagacious nose; when the pure air braces the nerves and fans the brow, delicious; when the full-grown, white-fronted, pink-legged cock springs up—not fluttering feebly now, and staggering stupidly into the muzzle of the gun, to drop again within twenty yards, but on a vigorous and whistling pinion, with sharp-piping alarm note, swift as a rifle-bullet, soaring away through the tree-tops, or darting, devious with abrupt zig-zags, among the thick-set saplings.

Him, no boy can blaze at, his twenty times in half an hour, and slaughter after all with one chance pellet, or happily wearied down *without* one! Him can no German gun achieve, of cast-iron, scattering its shot over an area of twenty feet, harmless at twenty yards! Him can no cur-dog flush in gun-shot of pot-hunting poucher.

No! gentle reader, him, whether he lies in the tufted fern and wintergreens, or the dry slope of some warm westering hill-side, among brown second growth of oak and chesnut; whether he wades among the shallow mud-pools, sheltered by fern, dock-leaves, and dark colt's-foot, of some deep maple swamp, it needs the stealthy pace, the slow cat-like guarded motion, the instinctive knowledge of the ground, the perfect nose, and absolute docility, which belong only to the thorough dog of the thorough sportsman, to find certainly, and stand staunchly! Him, whether he flap up, seen for one second only among the leafless stems, and lost the next among the tufted tops of the yet verdant alders; whether he soar away, with his sharp whistle, far, far above the red and yellow tree tops; whether he pitch, now here, now there, sharply, and suddenly, among close saplings, it needs the eye of faith, the finger of instinct, the steady nerves, the deliberate celerity, the marking glance, which characterise the true sportsman—the crack shot, who—as poor Cypress averred truly—is born like the poet, not made like the orator—to cut down at his speed; not wing-tipped or leg-broken, but riddled by the concentrated charge, turned over and over in mid air, arrested mercifully by quick and unerring death, and falling with a heavy *thud*, which tells good things of ten ounces' weight, on the brown leaves of gorgeous autumn.

My words are weak to describe the full charm of this noble pastime—noble, when followed, as it should be, in the true *animus* and *ardor* of the chase—but most ignoble when perverted to base, culinary, carnal, gluttonous, self-seeking—weak, are they, when compared with the vivid and heart-thrilling reality—yet read them, gentle legislators; spurn not the *bill* of *scoiopax*—long though it be, in no wise tedious—spurn not the humble petition of the sportsman—Enact! enact! and save our gentle well-born woodcock—preserve our harmless occupation from the untimely end which threatens it. And ye, oh, generous club, who hold your meetings under the sign and sanction of the noble woodcock, perpend, and ponder. Judge, if it be not for the best, to adopt my plan for our bird's safeguard; one common day of killing in all our northern country, for all states, all counties, so shall we shun all cavilling—and that one day, the first day of October! And thou, Colonel D— P—r, famous although thy race of pointers, great although thy renown with the Manton, hear my words and repent—thou, who, a member of that same sportsman's club in Gotham—thou, who, although thou didst, alas! know better, didst most feloniously and basely, taking advantage of a flaw in Jersey law, anticipate thy brother sportsmen, and shoot woodcock long before the fourth day of July, on our friend Tom Dekay's fine farm, nigh unto Vernon, in good Sussex county—Oh, fie on thee! repent! repent, and be forgiven!

Oh! if there be a clause in the New-Jersey statute permitting every land-owner to slay game, in or out of season, on his own farm—to wring the neck of the hen quail sitting upon her speckled eggs—to murder the hen

woodcock hovering her helpless young; —if that same clause empower that owner to authorize his friend to do like shameful murder, does it befit the gentle and the generous, the courteous and the chivalrous—for such should the true sportsman be — to avail himself of so miserable a pettifogging subterfuge? Ashamed to hear of it, thou wert, Col. D— P—r, for thou didst blush, confused, and stammer faint apology, when charged with thy misdoings; why not ashamed to do it, gallant colonel? or how shall *we* dare to enforce the law, or pray for legislative aid to save our proper birds from others, if one from among ourselves resort to small evasion—descend to dirty depredations?

I trust, indeed, that the day will ere long arrive—if not ere long, then will it never be—when all true sportsmen, and their name, in this land of guns, is legion, will set their faces steadily toward game protection, as steadily against those false brothers of the gun, who, crying out, 'protect! protect!' yet lose, themselves, no opportunity, when unsuspected or unseen, of slaughtering for the bag, and for the *brag*, at all risks, in all manners, and at all seasons.

There certainly is no more manly, no more salubrious, no more animating sport, than the pursuit of game, with the trained dog and the gun. It naturally induces hardihood, and strength of limb, freeness of breath, vigor of constitution; it makes men familiar with those works of God, in the field and forest, which are unknown to the dwellers of pent cities! To the studious and sedentary scholar, it is a salutary change of habits, a better tonic and restorative than any bark or bitters; to the rich citizen, the man of wealth and luxury, and leisure, it is almost the only thing that shall save him from drivelling down into a mere gluttonous sensualist, or, yet worse, a mere effeminate man-milliner. It leads us into the wildest and the fairest scenes of nature; it brings us quietly to think and ponder with ourselves; it teaches us the habits and the instincts of those inferior animals, which we too much incline to undervalue; it causes us to weigh their instincts, to compare them with our own boasted reason; it discovers to us, that the poorest bird, the humblest quadruped, has gifts and attributes, greater than we possess, and exquisitely suited to its wants.

Does it not lead us, then, to self-examination in some sort, and to humility; to the knowledge of ourselves, of our fellow-men, and of the great works of our Maker?

I, for one, think so; and I never hear a greasy-faced, sanctimonious fellow declaim against the cruelty, the wantonness, and the unprofitableness of field sports, but I set him down for an arrant fool, or an arrant hypocrite—but I long to assure him, that in the eyes of Heaven, and, God be thanked, even of this world also, some pursuits are held profitable, beside that of the almighty dollar; and some amusements innocent, beside cheating our neighbors in the street, and calling that business; or slandering them by the fireside, and calling that conversation!

I believe, therefore, that field-sports, not carried to excess, but used in their proper places, and at their proper times, are very innocent, very creditable, and very profitable, and very improving pastime. For my own part, I know that they have ministered incalculably to the improvement of my bodily health; and I am sure, at least, that they have not deteriorated my mental faculties; nor do I conceive how any reasonable man can fail to discover that some inducement is necessary to lead men to take that degree of exercise, which is necessary to the maintenance of the *mens sana in corpore sano;* and that there can be no stronger or better inducement, than this ancient and masculine amusement, which never was decried until these effete days, rich mainly in hypocrisy and humbug.

Xenophon said, of old, that there was no sport so suitable to the making of soldiers, as this said sport of hunting; and, to this day, it is true that the ability—nay, not ability only, but willingness—to endure all extremes of heat and cold, of thirst and hunger, of fatigue and watchfulness, to which the sportsman must inure himself, is that, precisely, which in the highest degree constitutes the aptitude of the citizen to be the soldier. Nor is this all; for the readiness of hand, and quickness of eye, the instinctive rapidity of thought and glance, and the coolness under surprise, which the sportsman

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must needs acquire if he would be successful, are qualities more requisite than any to the warrior.

Depending, as America does mainly, if not entirely, for her defence, on the facility of converting her citizens into soldiers, I think that all consistent means should be taken to prevent that, of which I fancy there is some danger, at least in the great cities; the growth, I mean, of luxury and effeminate habits among the rising generation.

Destroy game—abolish field sports, and you abolish the most manly of exercises; you leave the lounge in fashionable streets, or the drive in easy chariots, as the sole out-of-doors amusement of the wealthy man; and to the poor man you leave none at all, but rioting and what is termed *rowdyism*—if these can be called amusements.

For all these reasons, therefore, I think it highly advisable that the extermination of game in the vicinity of our large cities should be prevented if possible; and that it can only be prevented by the speedy interposition of the states' legislatures, backed by a truer and more single spirit than now exists among those who are proud of the name, even when they possess too few of the attributes, of honorable sportsmen, I hold certain.

To these, therefore, I appeal in protection especially of the woodcock—which will, most assuredly, before ten years have elapsed, be as utterly exterminated, within fifty miles of New-York, and within the like circuit of all other large cities, as are the deer and the heath-hen—nay, the wild turkies, which once peopled our own hunting-grounds.

In conclusion—I find, on reference to my last article on this subject, that I made allusion to a mode of killing the woodcock commonly practised in the southern states, which is so singular, and so completely at variance with all our ideas of sporting in these regions, that it deserves mention, and will, I doubt not, be interesting to many readers who may never have heard of such a process—which, unheard of, they certainly never would imagine.

This process is termed fire-hunting; it is carried on, of course, at night, and arises from the habits of the bird in that section of the country, which differ wholly from its usages while here.

In Louisiana and Mississippi, where, chiefly, this mode of sporting prevails, the woodcock lies during the day-time entirely in the dense canebrakes and impenetrable swamps which intersect and divide the cultivated lands and rich plantations, and wherein it would be almost impossible, and altogether weary and unprofitable to attempt to follow him; as he could hardly be killed on the wing in such covert as is there found, while the toil would be incomparably greater than the pleasure of the pursuit.

No sooner is it dark, however, than out the woodcocks come by thousands, from their fastnesses, and pitching down on all sides in the old fields and maize stubbles, apply themselves to nibbling and boring in the soft rich loam for their succulent worm diet.

Hereupon the fire-hunt commences. With gun and game-bag, powder-flask and shot-pouch, and all appliances and means *secundùm artem*, the sportsman sallies forth; but no silky-haired, high-strung, sagacious setter—no satin-skinned, rat-tailed, obedient pointer follows his master's heel. In lieu of Don or Sancho, an old, crafty, grizzle-pated, merry negro comes forth, equipped with the brazen vessel of a warming-pan, or the like instrument, set erect on a pole of some ten or twelve feet in length, and filled with light-wood, pine knots, or such like bright-burning combustibles.

Arrived on the feeding-ground, a light is applied; the quick fuel sends out a broad, ruddy glare; and as the bearer slowly circumambulates the field, a circle of intense lustre is shed for ten yards around him, rendering every object more clearly visible than at noonday. The shooter walks close to the fire-bearer, on his right hand, and ever and anon, as the circular glare passes along over the surface of the ground, his eye detects the woodcock, crouching close to the earth, and gazing with its full, fascinated eye upon the strange illumination. The next instant, up it springs, dizzy and confused; and soaring upward toward the light, it is seen for a second, and then is lost in the surrounding darkness; but of that one quick second the sportsman takes advantage, and by a snap-shot cuts him down with a light charge—never killing a bird at above ten paces distant, and often bag-

ging his hundred in a single evening's work.

This mode of cock-shooting arises, as it is evident, *ex necessitate rei*, and may, for a while, be sufficiently exciting. It must, however, lack all that variety which is the great charm of our northern shooting—variety which arises from the working of the emulous, obedient, and well-trained dogs, in observing whose exquisite instinct, fine attitudes and beautiful docility, *me judice*, lies half the pleasure of field sports; variety which, together with the lovely scenery, the brisk breezy air, and the exulting sense of personal independence and personal power, springing from these and from the glow of cheerful exercise, renders these sports, to active, energetic and enthusiastic minds, the first of pleasures, and almost a necessary relief from the dull monotony of every-day existence.

*The Cedars, December 22, 1845.*

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## SUNDAY SONNETS.

### No. I.

#### PRAYER.

Assist me, Lord, I know not what I do—
Bewildered is my mind; amid the crowd
Of doubts and black misgivings that enshroud
The path of life, my way I cannot view—
Each step I take, in anguish deep, I rue;
Scarce, scarce I move without a hopeless fall,
And, grovelling in the dust, on Thee I call
To lead me safe this fearful journey through!
When first upon Creation, formless, void,
Thy spirit moved, harmonious order rose,
And, at thy fiat, lo! the world is bright!
Oh! on my soul, a chaos drear of woes,
Dear God, put thus Thy mercy's blessed mark,
And give for *it* the mandate—"Be there light!"

### No. II.

'Tis not to *live* that mortal men are born—
To die—to die, is what we come for here;
The object of our being is the drear
And silent tomb, where Nature goes to mourn!
All bring within them, to this world, forlorn,
The fatal seeds, that with their growth do grow
And ripen with their strength, until below
The body drops to rot, like fallen corn.
And is this all?—From this decaying mould
Is there no other, fairer plant to spring—
Of leaf perennial—life-embalming fruit?
Oh, take good heed—Beware there doth not cling
That soil around, sin's fell "obstruction cold,"
And grandly to the skies a deathless tree will shoot!

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No. III.

ON THE DEATH OF ——.

Rest, gentle, lovely being, rest—at last
The voyage of thy fair and fragile bark,
So rudely shaken by the tempests dark,
Of life's unpitying sea, is safely past,
And, in a blissful haven, now is cast
Thy anchor, firm for aye—that haven where
Thy course was ever bent—to which each air,
Or fav'ring zephyr, or opposing blast,
Alike did speed thee on; for He who holds
The winds within the hollow of his hands,
Did guide thee always with peculiar care!
Oh, now, that thou hast reached the happy land,
Look back on those whom darkness still enfolds,
And breathe one more, one sympathizing prayer!

No. IV.

In Heav'n, among the angels of the Lord—
(Thus speaks the Book whose teachings we revere,)
Is joy when one poor sinner sheds the tear
Of grief for sin—the tear whose bright reward
Is all the bliss that God's own realms afford!
And can it be, that we—vile crawling things—
May claim regard from those whose seraph wings
Soar glitt'ring where the Presence is adored?
How grand the thought—how fitted to excite
In lowest heart the glow of conscious worth—
To impress on each, how dark soe'er his soul,
That he, too, though most earthy of the earth,
Is still a spark of Heaven's divinest light—
A part celestial of the Eternal Whole!

No. V.

"Father, forgive—they know not what they do"—
Oh Lord! I thank Thee for that blessed prayer
Which angels joyful to the throne did bear,
When from thy lips, thy dying lips, it flew.
Though in thy blood thy creatures did imbrue
Their demon hands—though insult, outrage, scorn,
Drove deeper still the piercing nail and thorn,
Thy saving-love the stronger only grew.
Oh, may it thus be ever, bounteous God,
When we, alas! do crucify again
Thy sacred form on sin's hell-rooted tree—
Forgive us, ignorant and wretched men!
Grasp not for us thy dread avenging rod,
For we, too, know not how we outrage Thee.

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No. VI.

REASON AND FAITH.

Say, can thy eye the flood refulgent dare
Of solar light in full meridian gush,
And not be hurried by the glitt'ring rush
To darkness or to fell confusion, where
All objects lie commixt in shapeless glare?
Or can thy hand extended towards the bow
Whose crescent lustre silvers all below,
E'er clutch it pendent in the evening air?
And yet thou dream'st that reason's feeble sight
May turn undazzled to the awful blaze
Of God's own Word, Truth's noontide glow divine!
Thou hop'st thy puny intellect to raise
To Heaven's own vault, and grasp the starry height
Where faith's pure beams in cloudless glory shine!

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No. VII.

Oh! it is sad to feel the impulse high
Of thought divine—the burning wish to throw
Your soul on pages mantling with the glow
Of truth celestial—pages ne'er to die—
And yet to know that vainly you may try
The impulse to obey—that trembling hand
And weakly frame oppose the great command,
That every effort wrings a deeper sigh.
Such, such, alas! my fate, since first the dawn
Of mind's bright morning o'er my spirit rose,
Awakening hope and energy and love.
Dark clouds did soon around the prospect close,
And all assumed a cheerless hue and wan—
But still I onward strive, and look for help above.

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No. VIII.

JUDAS AND THE THIEF.

What limit to Thy mercy, oh my God!
The first for whom the Saviour willed to die,
Whom He himself triumphant bore on high,
Was one who through his hellish course had trod
All paths of guilt—but lo! the dreadful rod
Of righteous vengeance brandished o'er his head,
Fell harmless at the last few words he said—
One prayer—and 'tis a Saint's, that lifeless clod!
And such might too, have been the happy lot
Of even him, the wretch, whose traitor kiss
Imprinted death upon his Master's face.
E'en deicidal treachery was not
The crime that barred him from the realms of bliss—
His damning sin was doubting of Thy grace.

ROBERT J. WALSH.

*Rio de Janeiro, Oct.*, 1845.

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## PROSPECTS OF THE LEGAL PROFESSION IN AMERICA.*

THIS celebrated work of Mr. Warren has been increased considerably more in quantity, than in value, though it continues, in our judgment, to be one of the very most captivating books, to the legal student, which the library of the law contains. We cannot name the second which is so well calculated to awaken the enthusiasm of the law student, and to quicken his sense of the dignity of his vocation, and of the value of its honors.

This is probably the chief, if not all the merit which the author expected his work would possess, and such it undoubtedly has. It is the first book we would place in the hands of one whom we would inspire with a taste for the legal profession.

Conceding it to be a successful achievement of the author's purpose, there remains a farther question with which we have more particularly to do, than with Dr. Warren. That is, whether the prospects of the legal profession, in America, justify the exalted aspirations which this book is calculated to inspire. Does the law continue to hold out those rewards of honor or of profit, in this country, which have so long followed the successes of its faithful ministers? It becomes us to consider this question very fairly, eschewing prejudice, for the multiplication of the profession among us is indefinite. In the city of New-York alone, we have over a thousand keeping office, and incurring all the expenses incident thereto. Of these thousand, we speak advisedly, when we say, that not over four hundred are receiving, from their professional business, a respectable support. Of the remaining six hundred, a limited proportion rely upon resources independent of their professional income. The remainder do as people generally do when they are unable to make both ends meet, they pass the difference to the profit and loss account of their friends.

But all are equally victims to one of the misfortunes incident to an unsuccessful practice. They are compelled to waste much of the most valuable time and energy of their lives in waiting for the world to discover the value of their services. That they may be always ready for whatever business fortune has in store for them, they dare not involve themselves in any collateral pursuits, but must live on, idly hoping from day to day that their turn is at hand. They delude themselves with fond anticipations of distinctions, such as those which tardily rewarded the patient faith of Hale, of Eldon, and the few other illustrious chiefs of the English bar, who were rescued from that great Serbonian bog of exaggerated hopes, where armies whole have sunk. Time wears away, and with it the courage and enthusiasm which can only exist in the atmosphere of successful effort. Of the thousand who enter the list, not a hundred will achieve any such result as would have induced them at the outset to have exposed themselves to the agonizing suspense, the heart-sickness of hope deferred, which they all will have to endure.

We refer to New-York city, because there, wealth, population, and opportunity, are most concentrated, and tendencies develope themselves in advance. But there is a corresponding disproportion between the demand and supply of legal advisers throughout the nation, and that disproportion is very rapidly increasing.

The re-appearance of Mr. Warren's book at this time very naturally leads us to inquire, whether there be any thing in the operation of our institutions or the circumstances in which the legal profession is placed at this time, to depress the hopes and the ambition which his labors are eminently calculated to inspire.

For our own part, we believe there is, and that both the necessity for, and the rewards of this kind of professional

* A POPULAR AND PRACTICAL INTRODUCTION TO LAW STUDIES, and to every department of the Legal Profession, Civil, Criminal and Ecclesiastical, &c. By SAMUEL WARREN, Esq., F. R. S., of the Inner Temple, Barrister at Law. With an American Introduction and Appendix, by THOS. W. CLERKE, Counsellor at Law. D. Appleton & Co., New-York 1 vol. 8vo.

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toil, are diminishing. We augur thus in no croaking spirit of disfavor towards a profession which the world has always delighted to honor, but from a conviction, based upon some observation, and upon a careful scrutiny of the tendencies of our civilization. We propose, at present, only to glance at the grounds of our impression.

We have for a long time been impressed with a conviction, that the sphere of duty of the law's ministry has been very much limited, and is destined to undergo still farther limitations, under the direct and indirect operation of our political institutions.

The tendency of all representative forms of government, and most emphatically of ours, is, to enlarge the powers of individuals, and to circumscribe those of the government. This tendency is evident *a priori*; it is equally apparent in the past history of our country. All our great questions of legislation since the American constitution went into operation, have arisen upon a difference of opinion upon this point, the limits of the legislative prerogative. In most cases, the individual has been successful, and the government has succumbed. It has been already substantially conceded, that it is no part of the functions of a political government, to bank, to trade, to lend money, to make internal improvements, and to supply religious instruction to its subjects; and the tendency of the public mind is to question the right of the government, to say who shall sell and buy meat and bread, or what shall be paid for them; who shall transport our letters and newspapers; who shall superintend the instruction of our poor children; and, indeed, almost all the other political powers, save those which are necessary to keep one man's hand off his neighbor, and to maintain inviolate the universal and common rights of life, liberty, and property. The absence of all legislation upon these and kindred subjects, of course diminishes the sources of litigation, which can only spring from a violation, alleged or real, of some existing law.

Such being the tendency, then, of the democratic faith, to limit the functions and prerogative of the governing power, and to enlarge the moral authority of the individual conscience, we have a standard whereby to measure the relative necessity, and therein the relative prospects of the legal profession, as a distinct order of industry. If we find any source of litigation permanently closed, and no other of equal magnitude opened, we infer that the professional prospects of the lawyers are to that extent obscured.

We would now ask if there can be room for doubt, that the prevailing and popular legislation upon the subject of banking, upon the right of eminent domain, and therein of internal improvements generally, upon the whole subject of chartered privileges, whereby the government enters into competition with individuals, upon the subject of religious establishments; have dried up innumerable sources of litigation. Take the subject of religious instruction, which is the only one of those enumerated from which the American government has in theory, at least, entirely divorced herself, and compare the litigation, in this country, to which it gives rise, with the same subject in England. The collection and distribution of church revenue, and the reconciliation of conflicting interests under the English church establishment, has occasioned more law suits in England, than almost any subject of legislation whatever in this country. Their books are filled with reported cases. We have none of it scarcely. The ecclesiastical institutions are simplified, and so self-controlled with us—divorced from the state—that we very rarely find them requiring judicial interference.—The same remarks may be applied to the other instances we have prosented, so far as government has withdrawn from their administration.

Of a kindred birth and tendency, though less articulate, are the exemption laws, the stay laws, the appraisal laws, the bank suspension laws, and the repudiation laws of some of our western states. All are the incoherent stammerings of a principle as yet but imperfectly developed. But when a truth has even thus far wreaked itself upon expression, there is no power on the earth, or in the waters under the earth, to resist its supremacy. It will agitate, it will struggle, it will writhe, but it will have utterance. It may succumb for a season, but it will not be cheated of a single fraction or tithing of the empire over the heart and mind of

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man. We look for the time, and that soon, when the political parties shall divide upon the expediency, if not the constitutionality of protecting contracts by law, and when the present offices of the judiciary shall in this particular be very seriously restricted.

These influences, seriously as they are operating, are but the parents of the giant brood of tendencies which are effecting the overthrow of the ancient diguities and eminence of the legal profession. The instinct of individual independence is fatal to any precarious, or what in this case is nearly synonymous, to any extensive system of commercial credits. An independent man cannot be bound by an obligation to his neighbor. The moment he becomes bound his independence forsakes him. He will, therefore, avoid receiving a credit which he cannot be sure to cancel before it becomes a bond. Neither will he give a credit which he thinks may cripple his independence by being dishonored. He will not trust to an unfaithful or a stupid man what he cannot afford to lose. Just in proportion, then, as the doctrine of individuality obtains, will commercial credit be based upon the combined honesty and sagacity of the borrowers. When these two conditions of a mercantile transaction are guaranteed, the creditor seldom has occasion for legal protection or assistance.

True, a long time must elapse before the condition we have supposed will be realized. True, we have somewhat anticipated the results with which we believe the future to be freighted. But we have magnified existing tendencies only that they may be more clearly seen. All their proportions are preserved, and we have the firmest conviction that time will prove that we have anticipated, not imagined, the fruits of their maturity. Nor does this maturity appear to be very remote. We never knew a single truth satisfied to share its empire with error. Truth never compromises with any antagonist. It may be delayed in receiving investiture for a season, but it is never quiet until it has vindicated its entire and absolute supremacy.

There is another aspect of this subject which deserves to be contemplated before we dismiss it; we refer to the depreciated dignity of the Bar in America. Sustained by no special privileges or rewards, accessible to every class of society, every order of talent, and every degree of ignorance, the ancient dignity of their vocation has almost entirely abandoned it. It has degenerated from a liberal art to a trade. Its professors, from artists, have become artizans; from scholars, they have degenerated to clerks. They no longer sustain the honorable eminence of the Roman patron, the protector and defender of their polital inferiors, from whom they may command both services and homage. They are no longer looked up to as necessary mediators between their clients and oppression; but are rather, themselves, the dependants than the patrons of the public.

We are far, however, from deploring this change in the social position of the legal profession, for we think we discern in it the evidence of great moral advancement. It is the natural and inevitable result of the individualization of our people. Thereby we know that we no longer enjoy our liberties at the discretion of others. No haughty proconsul, the proxy of a despot, armed with the double licentiousness of unrestrained authority and unbridled appetites, can now impoverish our provincial cities, riot upon our substance, and violate our most sacred sentiments and rights. Every man's love of his own rights with us, makes him respect the rights of others; and we have no Cicero or Hortensius at our bar, because we have no Verres, or Cataline, or Messala in authority. His professional talents can never distinguish or dignify the social position of the lawyer, in a society where the people are denied no important rights. His rank is elevated as the social condition of the people is depressed, other things being equal.—The few occasions for judicial aid and protection are of such trifling interest to the great body of the public, that the advocate awakens but little anxiety about the result of his efforts, save in the breast of his own client. His function, too, has been so modified by the progress of free legislation, that a large and comprehensive mind is narrowed and hampered by engaging in the work. For the service that is now mainly required of the lawyer, no special preparatory education is essential which is not equally essential to the merchant,

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save the direct study of the law itself No forensic or intellectual training is thought to be at all indispensable to success. Of course, then, the supply will be here as elsewhere, proportioned to the demand.

We have thus, very briefly, and, we regret to add, very imperfectly, stated the principal causes of the decline of the legal profession in this country; first, the tendency of popular sympathy, and of legislation to enlarge the responsibility of the individual, and to leave every man, as far as possible, the subject of his own discretion; and secondly, and in consequence of the surrender of its functions by first to second rate men.

We are anxious to be understood as indicating a tendency, not a result wholly accomplished. As this process of individualization is only in its early development, of course, its consequences are not yet to be realized. We are fully aware that there is yet among us a most unnatural amount of litigation—that improvident credits still continue to distinguish the folly of American tradesmen—that our judicial tribunals are clogged with excess of business; but we insist, on the other hand, that there has been, for twenty years, and continues to be, a constant disposition to war upon the legal profession, as a class preying upon the public through a useless and impostrous mystery. That the profession is not adequately paid for the labor and responsibility it has to sustain. That its profits are diminishing year by year; and that, if the theory upon which our government is based be a correct one, and the tone of our legislation be healthy, and is to be permanent, the mediation of the lawyer must fall into comparative disuse, or undergo an entire change as to the character and value of his service. There will always be abundant occasion in this world, we presume, for judicious advisers, and in that capacity they may constitute a professional order; but we do not believe that the rights of men are forever to struggle with all the inexplicable absurdity with which the combined ingenuity of statesmen, of judges and lawyers, have incumbered them, and which have, for so many centuries, made a market for the first talent and most vigorous industry of the ablest men. In a government like ours, which professes to act singly to the greatest happiness of all, we believe we shall some day find out a way of simplifying our relations with our neighbors to that degree, that good sense and honesty combined, will be all that will be requisite in most of the differences between men, to decide righteously upon them; that no ten or twenty years' study of formulas and arbitrary precedents will be necessary to establish a man's obligation to pay for a cow which he has bought, or for the use of a house which he has rented.

We are unwilling to leave this subject without a single word to those who, if our view be correct, are most concerned with its bearing. We refer to the young candidates for the bar. It is for them to consider whether the prospects of the legal profession are equal to their hopes. Lawyers have, for so long a period of the world's history, been distinguished with the highest public trusts, enjoyed the most exalted honors, and possessed the most distinguished ability, that it is almost impossible to convince a careless observer that these results are not incident to the vocation. Tempted by the hope of such rewards, hundreds abandon a more fitting vocation for a chance in the game which has yielded such extraordinary success. But, for the reasons we have stated, we submit that this is a delusion, and is fast becoming a snare, and that, before the student of to-day shall have lived to reach the elevation where his expected honors grow, the tree will be found nearly barren.

Add to this, that in no other literary profession, perhaps, is there so much fruitless study necessary for success. The lawyer's toil and research—and we speak of those labors which are necessarily professional—are not the acquisition of a science, the mastery of any great phenomenon of nature, the development of some new power, by which the whole mind of the human race is to be moved forward, and the comforts of men are to be multiplied. His brain does not weary with argument to establish great truths, which, when established, materially increase the wisdom of mankind. It is scarcely too much to say, that the great mass of his pure law learning, might be erased from his mind, without materially impairing his interest as a companion, or his usefulness and value as a citizen; and yet we are well satisfied that the members

of no other literary profession undergo the same amount of severe intellectual labor, as the same number of lawyers. It is not the business of the lawyer to seek or to maintain abstract right. He is to read an arbitrary, and, to him, immutable, law, and apply it to the case which is submitted to him. He has nothing to do with the right, but with the law, and when he finds what he esteems to be the law of his case, to maintain his position. To learn his law, and sustain his interpretation of it, he does not explore the vast domain of morals and of knowledge, to learn what is just and true, but he burrows through five or ten thousand volumes of reports, to find what had been the opinion of judges, from one to a thousand years before him, in kindred cases. A previous judgment, which in any other art or science is nothing more than a presumption, concludes him. He lays down his weapon without having made a single conquest over error, or a single acquisition, except for the profit of the John Doe, whom he happens to represent.

We speak in the common interest of the public, when we say, that this is too serious a loss of intellectual service to be submitted to patiently. The same degree of labor and of capacity, which is necessary to make a distinguished lawyer, would achieve a world-wide reputation, if bestowed upon any of the natural sciences or useful arts. The preliminary study and thought which are necessary to qualify a young lawyer respectably to hold his first brief, would suffice to master the learning of almost any of the practical sciences, and then he would have the best of his mature life to widen its circle. His labors, too, would then be sustained by the consciousness that he was enlarging the sphere of human intelligence; that his industry, and perhaps his name, would go down to posterity, associated with the causes or the instruments of some of its most substantial enjoyments.

If parents, and the friends, whose duty it is to direct the education of our young men, would properly consider these things, we are persuaded they would spare themselves and their charges much of the mortification and anxiety, which always pursue defeated hopes.

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## THE MYSTERY.

BY R. S. S. ANDROS.

Whither? oh, whither?
The world without is desolate,
Within Hope's watch-fires wane;
Yet ruled by some resistless fate,
The Soul bears on, and all in vain
Repeats the oft-repeated strain—
Whither? oh, whither?

Whither? oh, whither?
Thick shadows gather round like night,
And Life's chords are broke in twain;
Earth sinks a spectre from the sight,
And, still borne on, the Soul in vain
Repeats the oft-repeated strain—
Whither? oh, whither?

Whither? oh, whither?
The sun grows dim with years untold,
And dull with age Night's starry train,
Their wings the weary Angels fold,
And still the Soul, borne on, in vain
Repeats the oft-repeated strain—
Whither? oh, whither?

*Taunton, Mass.*

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# PAPERS OF AN OLD DARTMOUTH PRISONER.

EDITED BY NATHANIEL HAWTHORNE.

## CHAPTER I.

### FIRST GOING TO SEA.

THE war of 1812 found the writer of this narrative, then lacking several years of the age of manhood, dependent on his own exertions for support, but without employment and destitute of resources. Residing in a maritime town, the commerce of which the war had suspended, he beheld its merchants converting their heretofore peaceful vessels into privateers, and one after another of his youthful companions forsaking their quiet occupations, and embarking in privateers, with a hope of gain. With no great predilection for a sea life, and with a frame unusually small and feeble, he could yet perceive no chance in the general stagnation of all the arts of peace, of gaining a subsistence, unless a chance should offer of a situation on board a privateer adapted to his physical capacity. This was not easy to obtain, for the light berths were generally eagerly grasped at by relatives and friends of the owners and officers, termed by sailors "ship's cousins," and of this kind of patronage he was deficient.

At last, however, a chance presented itself. A quondam merchant ship was being fitted into a privateer, and the surgeon offered me a situation as his assistant—although my only qualification for this office was a slight knowledge of the composition of medicine; but, as the event proved, this was sufficient; for the surgeon had no opportunity of displaying his skill, nor I of my disposition to assist him, during the cruise. Our ship was a good one, and in excellent condition for the business in which she was about to be engaged; her armament was effective, being sixteen long six-pounders, and her crew, numbering, all told, one hundred and forty, were for the most part good seamen and able-bodied men. The officers were selected for their knowledge of seamanship, or for their reputed bravery.

Thus manned and equipped, we set sail from our port about the middle of September, 1812, with favoring gales, and buoyant spirits—making our course to the southward, being destined to cruise near to the coast of Brazil. We had been at sea about twenty days, and had seen no sail since we left the American coast, when, one morning about 10 o'clock, the word was passed from the foretop of "Sail, O!" All hands were called, and all sail was set upon our ship, and we stood toward the strange vessel, which our lieutenant, who had gone to the mast-head with his spy-glass, reported to be a brig, standing to the north-eastward. All was now excitement, and the men were contemplating the chance of a prize, and calculating their share of the prize-money. The guns were well seen to, and were double-shotted; matches were lighted; the gunner and his assistants were in the powder magazine; the men at their quarters, and every thing on board presented a most warlike aspect. My post was with the surgeon in the wardroom, which we used for a cock-pit; and after having taken from the medicine-chest several rolls of bandages and sticking-plasters, together with the tourniquet and amputating instruments, and placed them ready for use, I went on deck to view the progress of the chase.

It was now about 1 o'clock, and the brig could be distinctly seen from our deck; but the wind was light, and she was far off. She was evidently an English vessel, as those said who were judges of the matter, and a merchantman, deeply laden. Our ship had

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English colors flying, but the brig displayed none; our officers had on English uniforms, and our marines were dressed in red coats. The captain gave the word to "man the sweeps," and all hands turned to, with a will to propel our ship toward the object of our anticipated capture.

We now gained upon her fast, and at 5, P. M., she displayed English colors. We could see that she had several guns on a side, but that her crew were not very numerous. In about two hours more we were within hailing distance, and ordered her to heave to, but her captain did not choose to comply with this order; we accordingly threw a shot across her forefoot, which the spunky Briton returned without any ceremony. We now gave him a general discharge from our battery; but he was determined to die game, and returned it; but it was no equal match, and in about four minutes he was completely silenced. We then ordered him to send his boat on board us, which order he promptly complied with this time. She proved to be from Pernambuco bound for London, with a valuable cargo of cotton, sugar and dyewoods, and her officers were ignorant that war existed between the United States and Great Britain. We removed her crew into our own vessel, and sent her home in charge of a prize-master and seven men, where she arrived in safety.

This capture put new life and animation into our crew, and all our thoughts and conversation were of prizes and fortunes to be made upon the ocean. I shared in the general joy, yet I could not but look with pity upon the captain of the brig, who appeared to be a very worthy man, and who said that he was ruined by our good success, as he had all his worldly property in the vessel which was now on its way to the United States. As for the crew, they appeared to care nothing about their capture. They were not English, and felt no allegiance to Great Britain, and they were well treated on board our ship, as our captain would not permit them to be plundered of the most trifling article, and several of them wished to enlist among our crew; but this was not permitted.

Three days after this, we fell in with and captured another brig. We chased her several hours, and came up with her about 7 o'clock, P. M., gave her a shot, but she did not regard it; then gave her the first division of guns, when she immediately hove to. We sent a boat with a lieutenant on board her, and the crew were found to be in such a state of beastly intoxication, that they were obliged to throw them down into our boat. The master was the only sober man on board. We got this drunken gang on board as well as we could, and the mate crawled along and sat down on one of our gun-carriages. This man did not comprehend that he was a prisoner, but assured some of our men that if he had taken them, he would treat them well; but when the intoxicating fumes passed off, he found that the saddle was on the other horse. This brig proved to be from Bahia, with a cargo of one thousand bales of cotton, mounting 10 guns, and having a crew of 18 men, and they, too, were ignorant of the war. We manned her out, and despatched her for the United States, where she arrived in safety.

We had now the crews of both the brigs on board, but our captain promised to release them whenever he had an opportunity; and this soon occurred; for, about a week after, we fell in with a Portuguese schooner, bound from Lisbon for New-York, when he released them all, and gave them bread and beef enough to subsist them until the schooner should arrive in port.

This was a very common proceeding on board privateers, as it required some of their men to guard the prisoners, and thus weakened the effective strength of the crew, and our object was merchandise rather than men; but the English acted on a different policy. They took care to retain all the prisoners they captured—knowing that they thus weakened the naval force of their enemy. It was for this reason that they had so many more prisoners at the close of the war than the Americans had.

About the middle of October, when we were cruising along leisurely, propelled by the light winds of the northeast trades, one beautiful moonlight night we descried a sail far off toward the eastern horizon. All hands were piped to make sail, and we tacked, and stood for the stranger. All hands were beat to quarters, and our ship put in

warlike array. Presently we discovered her to be a ship, and an armed one, and, to appearance, of a very superior force to us, and we accordingly tacked again to the westward, and put all sail on our ship—being as eager now to shun acquaintance, as we had, a little while before, been to court it. The stranger was coming up with us, apparently without an effort, with nothing flying above his top-sails; while we had top-gallant sails and studding-sails set below and aloft. The nearer she approached, the larger she loomed, and we all came to the conclusion that she was a frigate, and that we could not much longer elude her; our only hope was, that she was an American. But we had made up our minds that our cruise was up, and the men deserted their quarters, and went below to pack up their bags and prepare for their transportation on board the frigate. In about two hours from the time we first espied her, she was up with us, and the discharge of a musket from her fore-castle soon brought us to. Then the usual inquiry was made from her —"What ship's that?" and, on our reply, the same voice immediately called out "How do you do, Captain W.?" We now recognised our supposed frigate as a large privateer ship belonging to our own port. She was a third part larger than we were, and of more force, and was remarkable for her speed, as in many trials she was never beaten. Right glad were we all at this meeting on the ocean; and our own crew were particularly glad that we had found a friend where we expected a foe. Our captain went on board of her, and remained a couple of hours. When he returned, we parted company, and each ship wended its way again on its own course.

Half of the time allotted for our cruise had now expired, and our water grew short, and the little stock of vegetables which we brought from port, had been long since expended; so our captain resolved to put into one of the Cape de Verd islands, to replenish our water, and to lay in a fresh stock of vegetable provisions. We made sail, therefore, in the direction of these islands; and on the 1st day of November we made the Isle of Sal, and in a few hours after Bonavista. Cruising along, we made the Isle of May the next morning, and in the afternoon we came to anchor in the Bay of Porto Praya, in the Island of St. Jago, the principal one of the group. Our lieutenant went on shore in the cutter, and obtained permission from the authorities to fill our water-casks. Accordingly, all hands were busy the next morning in getting our empty casks on shore, and filling them at a spring, which was situated back of the town, in a valley. It was no easy task to get our casks to and from the shore, on account of the surf or rollers which beat upon the beach, frequently capsizing our boats, and causing the men to strike out beyond the surf for safety.

These islands belong to the Portuguese, and are inhabited principally by negroes. The soil yields many kinds of vegetables, almost spontaneously; for what little culture we saw, scarcely deserved the name. Here we obtained the most delicious oranges, bananas, and sour-sops, in exchange for old clothes, which appeared to be the only kind of currency in demand with the inhabitants. Pigs, fowls, goats, and cassava root, were procured for the ship's use. This last article is about the size and appearance of a potato, and from it is made arrow-root and tapioca. It is poisonous in its raw state, but boiling extracts its poisonous principle, and it then becomes a very innocent and nutricious food. Our sailors, likewise, procured quite a stock of monkeys, which are numerous on this island, and some birds of the parrot race.

The town was of inconsiderable size, and the houses were of a mean and low construction. It was situated on a hill, and the watering-place, as I have said, was back of it, in the valley. Here, all the water for the use of the town was procured; and in this valley were the gardens; and paths led down the hill from the town to them. Jackasses were continually going up and down these paths, laden with water or vegetables, or going to procure them.

The inhabitants appeared to be very poor, and sadly deficient of clothing, which caused our second-hand clothes to be of more value to them than money. It was no uncommon sight, to see a man with the uniform coat of an officer, large rents, in which betrayed the absence of a shirt, a gold-laced chapeau-de-bras, and military small clothes,

while the legs and feet were as bare as the hand of dame Nature fashioned them. The officer who boarded us, when we arrived in the bay, was one of the originals of this picture; and he strutted about our deck in his bare feet, a negro holding an umbrella to shade his sooty face, with as much self-complacency, as any full-rigged dandy on the pavé of the city.

There was a battery at the entrance of the bay; its exterior was imposing, and I know nothing of its condition from my own observation, but it was the subject of a good deal of merriment among our crew. One of their galley stories was, that our captain offered to salute the town, provided the salute would be returned; and that the governor declined, because his carriages were so rotten that he was fearful of dismantling his guns; this catastrophe having happened to several, the last time they were discharged. I one day witnessed the parade of the guard; and the sight would have called into use the pencil of Cruikshank, had he witnessed it; for there is no portion of hyperbole in saying, that there was not a single serviceable musket, nor a complete suit of clothing in the whole squad, from commander downward.

In three days we had completed our watering; and on the fourth, we set sail from Porto Praya, with our decks full of pigs and goats, and our taffrail strung with bananas, and each mess reinforced with at least one monkey; and for all these, I believe, not a single dollar in money had been paid; its place being supplied with old clothes and ship's stores. We now headed for the coast of Brazil; and we saw nothing but the wide expanse of sky and ocean, for fifteen days, when we spoke a Portuguese brig from Lisbon, bound to Pernambuco, with a cargo of salt and wine; and the next day we spoke another brig, for the same destination. On the 21st of November, two hours after midnight, we were aroused by the cry of 'All hands ahoy!' and on gaining the deck, we found that a sail was in sight on our weather-bow, standing to the south and westward. At half past 2, we tacked ship, and got to the windward of her, and gave chase. The stranger soon evinced no very great reluctance to a meeting, for in an hour or two, although we did not gain much upon her, she hauled up to the wind, and stood for us, having Spanish colors displayed. We perceived that she was a large and warlike looking ship, much superior to us in size, and showing a battery of more than 20 guns; but the general opinion forward of the cabin was, that she was an armed merchant-vessel, and that her crew did not correspond with her great size and her superior armament. The sailors and petty officers were ripe for a conflict, anticipating, with much certainty, her speedy capture, and indulging in golden anticipations of a rich prize. At 6 A. M., we were near enough to throw a shot across her, but she did not heed it. We then discharged a gun directly into her, when she hauled down her Spanish flag and run up the English one. We then gave her a broadside, which she was not slow in returning, and the conflict went on with rapidity; but our distance was such that not many of her shot came on board of us. Our guns were sixes and long nines; hers were evidently of a larger calibre, but being short ones, they did not throw the shot so far as ours. One of her shot struck our mizen-mast, and more than half cut it off; another carried away our spanker-boom, and some of our other spars were wounded, and some of our running and standing rigging shot away; but not a man was hurt.

We could see that our shot was doing execution on the enemy, but to what extent we knew not. Our men were anxious for a closer conflict; but he whose right it was to command, did not order it. So we battered away in this manner for two good hours and a quarter, when the command came to cease firing. When we ceased, the enemy ceased also. Refreshments were now served out to our crew, and the general expectation was, that we should now run down to her, give her a broadside, and board her; and our men were ripe for it.

Here we lay, looking at each other, and doing nothing in the fighting line for nearly an hour, when the enemy made sail to the south, we following the example; and the English vessel occasionally firing a few shots at us. Shortly after we tacked to the northward, and he did the same; but we outsailed him, and his shot did not reach us; and in a little while he wore ship and left us.

In this actian, which to us was bloodless, we expended 350 shot, and nearly as many cartridges.

Our captain was a gentleman and a worthy man, and I believe that he was a brave one; but his judgment did not square with the opinion of the crew; they believed we could have taken this ship with ease, by going alongside of her; but he thought that the risk was too great to be attempted. I was, nearly two years after, able to ascertain, that the former opinion was the correct one, as I fell in company with one who was on board of her at the time, and from him learned that she had a crew of only about forty men and boys; and that, at the time we ceased firing, they had deserted their quarters and gone below, and were only prevailed upon to man the guns again by our failing to lay alongside her. She was a valuable ship, belonging to Liverpool, and was bound for one of the Brazilian ports.

This untoward event had a material influence on the remainder of our cruise; it threw a chilling blight over the golden harvest which, up to this time, we had expected to reap. Confidence was gone—exertions were slackened, and the end of the cruise was looked to with impatience. Matters were not improved when, three days after, we saw a brig, which those forward of the cabin supposed to be a merchant one, but which those aft pronounced a man-of-war. We ran from her, and out-sailed her. The word was now homeward—and toward home we sailed. We experienced tempestuous weather as we approached the American coast; and we saw several sails on our passage home, but we spoke nothing beside an American ship and a Spanish schooner. On the 7th of January, 1813, we arrived at Portsmouth, in New-Hampshire, and here our captain left us.

While at Portsmouth, we had the misfortune to lose two men by the capsizing of a boat, while attempting to weigh one of our anchors, and our ship drifted ashore, on to a sand beach, on the eastern side of the river. We got her off, however, with but little trouble, and she sustained no material injury. In a few days we left Portsmouth, and proceeded to our own port, and all hands were discharged.

## CHAPTER II.

### GO TO SEA AGAIN THE SECOND AND THIRD TIME.

My four months experience in privateering had satisfied me that this vocation did not accord with my inclination, so I staid on shore a few months, seeking some other employment; but none presented itself, and I was obliged, therefore, to look again for a chance in a privateer, as a means of present subsistence. There was a schooner fitting out, the owners of which offered me a berth, and I accepted it. She was an anomaly in naval architecture, being a long, low, narrow, and sharp craft; and her bottom, from stem to stern, being formed on the model of a wedge. Her masts were tall, taunt, and reedy, and had a most roguish rake toward her stern. Her sails, too, corresponded with her masts, and had a wicked and plundering look. The current saying of the time was, that she was built to suit a mainsail which had belonged to a schooner, called the Growler; and which the owners of our vessel had fitted out about the same time. Be this, however, as it may, and whoever was the erratic genius that conceived the model of our schooner, she was the most comical piece of whimsicality, that the wild fancy of man ever hit upon.

She was first named "The Grumbler," and if she was not herself faithful to her name, she was the cause of a great deal of grumbling in others. The carpenters grumbled at building such a shapeless craft—the sail-maker grumbled at the old mainsail—the owners grumbled about the expense of building her—and the officers grumbled, because there could be found but a few men who were reckless enough to risk their lives in her; and the few who, under the influence of strong potations

of whiskey, which was liberally dealt out to all candidates for the honor of sea-martyrdom, made the desperate resolution of seeking it on board of the gallant Grumbler, they, too, grumbled, not so much at the quantity, as at the villainous bad flavor of the whiskey.

The whiskey was not all potent in this case, for men were scarce, and vessels were plenty—so after essaying to get a crew in our own port, we sailed away to Boston, hoping to complete one there. But it would not do, men were shy, and we gathered but a few, and we set out to return to our own port again, and on the way, we got upon a rock. The high tide floated us off again without a hole in our bottom, and with no injury, save a little copper knocked off, and this was soon replaced.

We now opened a rendezvous again, and at last, by the aid of the whiskey, and the free use of that description of rhetoric which the Irish call *blarney*, together with a few dollars advance to each, as bounty money, we gathered together about forty men and boys, and set sail on our cruise, on a bright and beautiful summer's day.

Our crew was altogether as whimsical as our schooner. They reminded me in all but numbers, of the description a downeast skipper gave of the crew of his lumber coaster, viz.: "An old man, a little boy, a 'tarnal fool, and a Frenchman." Such a hatless, shoeless, shirtless, graceless, unwashed, but not unwhipped set of ragamuffins, I believe never before indulged the gregariousness of their natures by congregating together. I had heard much of the *picked* crews of American privateers, and when I stood on the deck of the schooner, and surveyed the motley group around me, I could not but think, that we, too, had a *picked* crew, and that if the old gentleman, who has the charge of the fires in the nether regions had had the selection, he, too, would have *picked* just such another.

On board this shapeless vessel, behold me, a simple and beardless youth, installed as captain's clerk; and because the clerk's duties were likely to be, "like angels' visits, few and far between," I was also purser to this motley crew; and because these two were not of "occupation sufficient," our worthy captain had the goodness to assign me, in the quarter bill, the post of sergeant of marines.

I have said, that our schooner was at first called the Grumbler, but when our owners went to take out her papers for the cruise, being probably tired of the grumbling that she had occasioned, they registered her as "The Frolic."

Our harbor, then, astern, we bounded merrily over the blue waters, skimming like a sea-mew the light curling waves, and wending our way to the eastward toward the British fishing grounds, to fish for a few straggling and quiet merchant vessels, which might chance to be bound on their way to Halifax or Pictou, and which had committed the, to us, unpardonable sin of being manned by an English crew, of sailing under English colors, and of being owned by British subjects.

We were bounding, then, I say, over the calm waters; night had thrown its dusky curtain around us, when we made the right pleasant discovery, which many on shore had predicted while we were fitting out, that our little schooner, however she might dance blithely over a light sea, with light winds, lacked bearings, and had no power to keep up amid harsh waves and howling storms.

We were going before the wind, with no square-sail set, save only our foretopsail, and that reefed, when the wind suddenly shifted a-head, and our poor, non-descript, wedge-like vessel, was settling down fast by the stern. I had retired to my sleeping bunk, my senses wrapt in forgetfulness, when I was awakened by a tumultuous noise on deck. My first thoughts were, that we had got aground; my second was, to spring on my feet; but whatever was the occasion of the racket, instinct prompted me to rush upon deck. I made a rapid transition from our wardroom through the hatchway, in almost a state of primeval nudity, and alighting on the lee-side of the deck, I found myself immersed to my waist in water. Our crew were all teetotal *cold-water* men, then, despite the whiskey.

Our deck was in a wild confusion—every thing buoyant was afloat, sailing about in most admired disorder. Officers were shouting; men running hither and thither, some cursing, and others trembling, but each one endeavoring to

do something to avert the catastrophe, we were so eminently threatened with. Notwithstanding my fright, I could not help being amused by the exhibition of the ruling passion, strong in dire extremity, displayed by our surgeon. He had been fiddling, for he was a votary of Orpheus as well as of Esculapius, and had been a dancing-master, and he found his way on deck, fiddle in hand, quicker than he ever cut a pigeon-wing in his life. The fiddle had cut adrift from the doctor, and was congregating with oakum wads, handspikes, boat's oars, "*et id genus omne*," in the lee scuppers. "Put on and batten down the hatches," shouted the excited voice of the captain. "Give me my fiddle," cried the doctor. "Knock out the ports," roared the sailing-master. "Save my fiddle," moaned out Mr. Medico. "Look out for the booms," uttered the stentorian voice of the boatswain. "Look out for my fiddle," said the shriller voice of the surgeon. At last, the hatches were secured, the bulwarks knocked away, the booms lashed together, and the fiddle restored to the doctor, with no other injury than its being pretty well water-soaken. The squall, luckily, was of short duration—it was what the sailors called a white one; we made out to get the schooner again before the wind, to dislodge the water from the deck, and to pump it out of the hold, and our submarine voyage was postponed for that time. We kept on our way, sorely against the wishes and opinion of all on board, except the captain; he did not wish to appear craven, and he put on a show of confidence and resolution, which, I believe, his heart belied. No one went below again that night, but all were gathered together in groups about the deck, discussing the folly and temerity of the captain; at last we came to the determination, and went aft in a body, and told him we could proceed no further on the cruise. He caused us all to sign a paper, by which we agreed to pay back to the owners the bounty money we had received: this done, he gave his orders to put about, which were executed with alacrity, and we run the ill-fated schooner into port again the next day, after a hard chase by an English frigate, and cast anchor opposite to the ship-yard, in which she had been a few weeks before built.

Our fate, in our *comical* little vessel, having well nigh proved *tragical*, our owners caused a railway to be constructed, the first ever invented for a like purpose; and had her hauled up again on to the same stocks from which she had been a short time previously launched. Her wedge-like bottom was entirely remodelled, and from her new construction, if she did not so well promise to *come up* with an enemy, she was far more likely to *keep up* herself. When she was again launched, a rendezvous was opened for the purpose of shipping a crew, as most of our officers and crew were satisfied with their short cruise, and had scattered again in various directions.

As for myself, my worldly prospects had not improved; my heart was heavy, and my pockets were light: and it mattered but little to me where I went, or how; so with little care, as to the consequences, I enlisted again in the schooner, in my old capacity.

Our new captain was a short, dapper, agile little fellow, smart withal, and capable, a good sailor, brave as a lion, good-natured, generally, and kind and attentive to those under his command.

With this captain, a pretty good set of subordinate officers, and such a crew as we could pick up, numbering, all told, about fifty, we departed from port, and sailed to the eastward, being bound, as before, of the coasts of Nova Scotia and Newfoundland. The first day out of port, we overhauled an American ship bound in, which our captain suspected was sailing under a British licence. He managed the thing very adroitly, passing ourselves off as an English privateer which had made some noise upon the coast; and he deceived the master of the ship, who produced his license. We accordingly put a prize-master on board, and the ship was condemned as our prize by the Admiralty Court. In a few days, being off Halifax, we captured a small schooner belonging to some port in Nova Scotia, and manned her out as a prize; but she was retaken some days after. She was not, however, of much value. Proceeding eastward, over the Green Bank, or Bank Verd, as it is laid down on the chart, we cruized for some time off the island of St. Peters or Miquelon. This island was inhabited by Frenchmen, who were mostly

fishermen; and, as far as the eye could range on the ocean, might be seen their small vessels employed in fishing. These boats were of an unique appearance, and their sails being tanned to preserve them from the action of the perpetual fog of this coast, added to their singularity. We at first made a great fluttering among these poor fellows, but in the course of a few days, finding that we did not molest them, and that we honestly paid them for all we bought of them, their fear wore off, and they became our very good friends. They appeared to be a simple and unsophisticated race of mortals, but very poor. After cruising about here for some time, without making any captures, we at last fell in with a fleet of vessels, bound from England for Mirimachi and Pictou. They were under a strong convoy; but we dodged about until they became scattered, following them almost out of sight, till their near proximity to the coast had rendered them careless; when we pounced in among them. We sometimes captured two or three a day; but they were not worth manning out, being in ballast, going to obtain cargoes of lumber; so, after taking out their crews, and what articles of value they had, we burned them. In this way, in the course of a few days, we captured and burned some ten or a dozen. I have forgotten exactly how many; and I have lost my journal of this cruise.

We one day ran in between two vessels; the one to the windward was a ship, and that to leeward a brig; we threw a shot at the ship, and she hove to. We were preparing to take possession of her, the boat was alongside, and the prize-master and crew in readiness to go on board. I had but just come up out of the cabin, where I had been writing the instructions to the prize-master, and was in the act of delivering them to him, when the brig to leeward opened a smart fire upon us. We got in our boat as quickly as possible, and run down to the brig; but she did not like our near approach, and fled. We were near an island, and there was a pretty deep harbor; for which she made. She succeeded in getting in, and they ran her on shore, and the crew deserted her and took to the bushes; the place being uninhabited. There was a bar, over which we did not dare to venture; so our captain sent in our boat to destroy her. In the hurry of getting the boat in, at the beginning of the chase, she had been injured, so that she leaked badly; but by incessant bailing the crew made out to reach the brig. The crew from the shore kept up an incessant fire of musketry upon our men, but they loaded one of the brig's guns with ball and langrage, and discharged it at them, and were not much annoyed after this. Our men cut a hole in her bottom, and then set fire to her. They had hardly completed this service, when we hastily recalled them, for we saw an armed brig coming round a point of the harbor; and we knew that we had got to run for it. We took our men on board, letting the boat shift for itself, and made all sail. It was late in the afternoon, and we were chased all night; but the next morning we had distanced the brig, so that she gave up the chase.

This cruise did not prove profitable in gaining prize-money; but it was a very pleasant one. The weather was, all the time, serene; harmony existed on board, and we were, a great part of the time, either chasing or being chased, so that we were almost continually excited with expectation of gain or fear of capture. At our leisure hours, we were engaged in fishing, and the fish were abundant and of good quality.

We were victualed and provided only for a short cruise, and the time having expired, we put about, and proceeded on our way home, where we arrived without any material incident, and where we found that our trip, for all purposes of profit, might as well have terminated the first day out; as all the prize-money we derived was from the American ship, and she was not of much value.

The season was now too far advanced to try St. Peter's fishing-ground again; and our new destination was to the West Indies. Some of our officers, and many of our crew now left us, and we had to procure new ones. This, with some repairs upon the schooner and taking in stores, detained us in port for several weeks. Not succeeding in getting as many men as we wanted, (for the inducements given to seamen in the United States service were greater than in private armed vessels, and the character of our schooner

was not very good withal,) we proceeded to Portsmouth with the vessel, for the purpose of completing our crew.

Here, by dint of persuasions and potations, by words and whiskey, we made out to pick up our remaining complement of men, and to complete pretty much such a picked crew as I have described in the beginning of this chapter. Our *complete complement*, it may readily be judged, was not a very *complete compliment* to the character of American privateers.

We had to scour the neighboring towns to procure some of our men, and one of our lieutenants and myself were despatched into the county of York, in the then District of Maine. Here we procured three Down-Easters, who received our bounty-money, and mounted our blue ribbon in their apologies for hats, but who contrived to elude our vigilance, and made off with the badges, and we never saw the varlets again. The winter of our worthy sub's discontent was not made glorious summer by these sons of York; he was extremely vexed at the circumstance; but for myself, I liked the ride and the frolic, and was in no great hurry to exchange this frolic on the land for our frolic on the water.

During our stay at Portsmouth, the great fire occurred, by which a large portion of that flourishing town was consumed, and a blow inflicted upon its prosperity, from which, I believe, it has not yet recovered. Our schooner was moored in the river, near the town, but the officer in command found it necessary to remove her down to near the navy-yard, on account of the danger from the sparks and burning fragments which were flying in every direction. Several of our officers were on shore at the time, and I happened to be among them, and we all endeavored to render all the assistance in our power to the suffering inhabitants. Our captain was particularly active and efficient, as were also the United States officers and sailors who were there.

There was there a privateer schooner, the Brutus, of Baltimore, on board of which a great many children and females, who had been deprived of their homes by the flames, were conveyed; and it was found necessary, in the course of the night, to remove her down the river; and many a heart was anxious for the fate of its loved ones, until it was discovered, the next morning, that they were safe on board the Brutus.

Having got together our crew, and made all proper arrangements, we set sail from Portsmouth on Christmas-day, A. D. 1813. The experience of the last cruise had proved to us that our vessel had improved in buoyancy, but not in speed. She was not a very *crack* sailer, however much we might *crack* on her. Her best play was before the wind, which is not usually the case with clipper-built schooners.

The day was near its close when we got under weigh, and dark clouds hung over the far-off blue hills; but we had a favorable breeze, and, despite the inexperience and drunkenness of many of our men, we got out to sea without any accident.

We had just cleared the point at Great Island, when we perceived a small, dark object in the water, lying directly in our track, and apparently awaiting our approach. On coming up with it, it proved to be a small boat of the kind which is commonly called a dory. It contained a man who had come off alone from the eastern side of the river, and who was a deserter from the United States brig Rattlesnake, which was then in the harbor of Portsmouth. He wished to enlist with us; and, as he was a prime seaman, we were by no means very scrupulous as to the rights of "Uncle Sam" in the case. He joined with us, and proved to be one of our most efficient men, but, withal, such a reckless, unprincipled rascal, that if he came to a peaceful end, the gallows and the hangman have been defrauded of their due.

(To be Continued.)

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# MANUFACTURE OF WOOL, SILK, COTTON AND FLAX, ANCIENT AND MODERN.*

SINCE man was, by the Divine Justice, condemned to provide for his own wants by his own labor, the chief occupation of all the branches of the race has been to clothe and feed themselves. With the advancement of science and the developement of inventive genius, the taste for both food and raiment has become more refined, and the wants of civilized people more diversified. It may be said, that the food of the bulk of the people in all countries remains now nearly what it ever has been; but the supply has become greater in proportion to the inhabitants of different countries, according to the fertility of the soil, the industry of the people, and in the improvements in the instruments of labor. Governments have, in modern times, attempted, by means of parchment laws, to extract from a barren soil, an unintelligent people, with rude and primitive instruments, food, on terms as advantageous as an industrious people, with the aid of eminent science, can extract from a fertile soil. Under pretence of effecting this object, they have compelled consumers to forego all the benefits of a more favored region which commerce would confer on them. The effect has been greatly to retard the progress of the people of all countries. In fact, it has been the avowed policy of many modern princes to preserve the *statu quo*, as that in which the people enjoy the greatest happiness. When we look upon the progress of the human race, from the rude ages to the present comparative high state of civilization, we become struck with the presumption that fixes upon any stage of advancement, as that beyond which it is not desirable to go; and to retard its progress, restrictions upon individual business, and prohibitions of intercourse, are rigidly administered.

The clothing of the human race, from all ages down to the present moment, has chiefly consisted of four materials—two of animal and two of vegetable production. Of the first, silk has ever been an article of luxury, but has entered, to a greater or less extent, in different ages and under different circumstances, into the consumption of the people. The other animal production, wool, has formed by far the greatest basis of human clothing, in all countries and ages. Of the vegetable productions, linen was anciently the most known in Europe; but cotton has, from time immemorial, formed the clothing of the people of India. The use and manufacture of those materials slowly found their way westward, impeded and retarded by oppressions and restrictions of all descriptions. The rapacity of rulers sought to introduce the manufacture of the different articles into their several domains, and then, by the grant of monopolies and barbarous restrictions, smothered them at home, while they sought to prevent the art from leaving them for other countries. Although silk, from the earliest ages, composed the clothing of the inhabitants of Asia, and was known and used as an article of luxury long before the Christian era, yet it was not until the sixth century, under the reign of Justinian, that it was introduced into Europe as a manufacture. A few eggs, concealed in a vegetable stalk, were brought to Constantinople about the year 530, by two monks. The manufacture springing from this soon became "protected" by royal favor. Justinian and his vile consort amassed great wealth by the monopoly. At the end of that century silk was known in England, and Charlemagne wore a linen shirt, a tunic of wool, with a silk border. The manufacture of the article remained confined to Greece some six hundred years, and in the twelfth century was transferred, by force, to Palermo. In the fourteenth century it spread successively through the different countries of the south of Europe to Britain. Cotton was always the chief staple of India; and, down to this day, many of the most exquisite fabrics of India cotton have in vain sought to be rivalled by the scientific machinery of Europe. The manufacture of wool

* THE HISTORY OF SILK, COTTON, LINEN, WOOL, and other Fibrous Substances, including observations on Spinning, Dyeing, and Weaving. Also an Account of the Pastoral Life of the Ancients, their Social State, and attainments in the Domestic Arts, etc. New-York: Harper & Brothers.

and linen was introduced into England gradually, by the Romans; and in most countries of Europe it has been spreading, to a greater or less extent, for two thousand years, exposed to legislative oppressions of all kinds, for the protection of some more favored branch of industry.

Although the progress of manufactures in all the countries of Europe, was at all times exposed to the abuses growing out of the mal-administration of the governments, it was not until the 17th century, that the several nations commenced to make war, each on the prosperity of the other; and recognized the mutual injuries thus inflicted, as a principle, under the name of "protection" to home industry. The great object of the labor of the human race, is to procure a sufficiency of food and raiment for all; and for each to obtain as much for as little labor as possible. Every sovereign of Europe saw the importance of having his own people possessed of these necessities to as great an extent as practicable; and it was for this purpose, that, in 1148, the King of Sicily, having overrun the cities of Greece, compelled the silk weavers to go and live in Palermo, and there exercise their art; and they continued to flourish there, because the prosperity of the people of Sicily enabled them to buy the rich goods produced, at a remunerative price. Gradually, in all countries, the first manufacturers became wealthy and influential, and obtained incorporate and special privileges. These were gradually consolidated into the protective system, by which all the manufacturers of one nation were sought to be protected in a monopoly of the home market; that is to say, the principle avowed was, as expressed by Daniel de Foe, the author of Robinson Crusoe, in his Weekly Review, 1708:

"That it is a national evil to have clothing cheap from abroad, rather than to manufacture it dear at home."

The original design of labor thus came to be perverted. Instead of working to provide the greatest quantity of clothes on the best terms, to the whole people, the whole design of government was sought to be to compel the mass of people to buy only of certain persons, at such rates as they chose to demand. The makers of these cloths therefore obtained great wealth, while the consumption of the goods was materially retarded. A free competition in the supply from all quarters, would naturally afford the greatest quantity to a people, on the cheapest terms, because every country has some advantage peculiar to itself, which enables it to supply a greater quantity of a given article, for a certain amount of labor, than any other country. Where a mutual interchange of articles, thus peculiarly situated, freely takes place, not only the greatest subdivision of labor, but the best application of the advantages of all climes and localities, to the welfare of the whole human race, is brought about; and therefore, the greatest sum of happiness is obtained. Such a state of affairs eminently exists in the U. States, where perfect freedom of internal intercourse allows of the free application of the capital and skill of the whole country to the development of all its resources, wherever situated. Were such a freedom of intercourse, in the present improved means of communication, to exist between any two nations, their commercial and pecuniary interests would soon become so interwoven, that hostilities between them, from any cause, would be utterly impossible; as a consequence, princes and dynasties would soon cease to exist, because war, with all its paraphernalia, would no longer be at their command to sustain their absurd pretensions. In former ages of the world, when the means of intercourse was slow, and the transportation of goods from one country to another, was almost impossible, separate nations had nothing in common with each other, and a war was a matter of no importance, unless to those comparatively few, who were actually exposed to the ravages of a hostile host. Even the cotton manufacture of India, which is mentioned by the first Greek historian, five centuries before Christ, as having existed for an indefinite period, was known only as a curiosity to the Egyptians, at the time of the Christian era, five centuries after rumors of the "wool-bearing trees" of India had spread among the Greeks; and it was not until the 12th century, that the manufacture was introduced into Italy.

We have stated that the silk culture was introduced into Constantinople in the year 530; but it was not until 1622, during the reign of Elizabeth, that some foreigners first made silk in London. It took 1100 years to carry the trade from the Levant to the North Sea.

The manufacture in England did not prosper to any great extent, however, until in 1685, from 30,000 to 50,000 Protestant silk weavers were driven thither, to seek refuge against the persecutions of the Catholics, when Louis IV. revoked the edict of Nantz. Some 15,000 of these immigrants settling in and near London, located, what is known as Spitalfields, and became the chief seat of the silk manufacture in England. This large accession of silk weavers did not injure those previously established, but producing a great decline in the money value of the articles made, enhanced the consumption to a degree that improved the business of all. It subsequently led, however, to jealousies between Great Britain and France. Although England had received great benefit from those French who had arrived in London, to make silks for the English, yet she sought to prohibit those who remained in France from adding anything to that supply. These mutual jealousies between nations were engendered, or grew up of themselves spontaneously, when no great degree of mutual intercourse had previously existed; when, as yet, no large class of persons, in any one country, had become accustomed to depend upon another large class in another country for articles of necessity. The manufacturers were the first to feel the effects of foreign competition, and to complain of its injurious effects, before the people at large had learned to appreciate its benefits. As therefore, by royal favor, and governmental protection, the manufacturers were already an influential class, and the ruling powers naturally leaned upon them for support in times of emergency, it became easy for that class to obtain, what they called protection, at the expense of the people; more especially as that it is always, in all countries, the active class, or those who have some special object in view, that obtain that which they seek at the expense of the many who have no organized opposition to that systematic attack. England, under Charles and Cromwell, began those demonstrations of commercial hostility against other nations, which took the form of navigation laws, prohibitions and restrictions on imports of all sorts, with bounties on exports. In 1687, these material injuries were established as a principle, by France. These examples were followed by all other nations of Europe—Austria towards the close of the seventeenth century. In Germany, from the earliest times, the revenues of petty princes, and lordly tyrants, were drawn from onerous taxes on commerce, rather, however, as a mode of oppression, than with a view to "protect" manufactures. In all the despotic countries, the general principle of raising a revenue, has been to levy the highest duties on those articles most absolutely necessary to common use, and to the support of every individual; and some of them, as France, Spain, Naples, and Austria, have monopolized certain trades, as tobacco and salt, with a view to the profit. England has not done that, but has taxed every thing of necessary in use, excepting water.

The general principle which has been acknowledged by all the powers in relation to protection, has been to prohibit those articles which they suppose most to compete with certain interests at home, which it is intended to favor, but to allow of the free export of the products of national industry; that is to say, to allow the citizens to sell, but not to receive any valuable thing in return. The policy of Turkey has been the reverse of this, but equally plausible. The idea which originally presented itself to the Sublime Porte was, that all the wealth of a nation must arise from the industry of its inhabitants. Hence, if all the proceeds of their industry was, by law, confined in the country, it must necessarily grow rich; exports of Turkish produce were, therefore, strictly prohibited: on the same principle all the produce of other nations brought into the country would in so far add to the wealth of the country. Imports have, therefore, from the time of Solyman the Magnificent, to the present day, been admitted at a duty of three per cent. *ad valorem*. It, however, escaped the sagacity of the

Moslem, that other nations would not *give away* their goods, and to receive them argued, that something must be paid for them; and as the export of produce was prohibited, specie speedily vanished from circulation. Hence the law of prohibition gradually fell into disuse. The wisdom of the christian governments erred as far on the other side. They permitted all produce to pass freely out, forgetting, that if their subjects sold, they must receive something in return, and to prohibit returns was to impoverish the country. These mutual restrictions have tended in an eminent degree to check the consumption of manufactured goods, because they artificially enhanced their price; that is to say, they added a new ingredient to the cost of certain articles, beyond the natural ones of the expenditure of capital in its production, and the profits of manufacturers and sellers. In spite of all these restrictions, however, the production and consumption during the present century, have been immensely greater than at any previous period of the world's history. The increase in the production has been owing almost entirely to wonderful discoveries, and the advancement of science, in each branch of manufacture.

Great Britain, in consequence of her commanding geographical position—situated as she is, centrally, surrounded by good harbors, in respect to all the large commercial cities of Europe—her vast mineral resources of coal and iron interstratified and conveniently disposed for cheap use and transit, and possessing an energetic, industrious, and enterprizing people, naturally took the lead in manufacturing, and, isolated from the continent by seas, commanded by her own ships, she has hitherto escaped those devastating invasions that have successively ravaged all the nations of Europe. Her industry has, therefore, been undisturbed, and her productive power has progressed the more rapidly, that the paralyzed industry of the continent has left the field entirely open to her enterprize. Under these circumstances she has been enabled, aided by great discoveries, and inventions in the arts, to maintain the supremacy which has been threatened, but not seriously affected, during the last quarter of a century of profound peace. In tracing the leading events in her manufactures, we shall indicate the general progress. As an indication of the rapidity with which her manufactories have progressed, we annex an official decennial table of the quantities of the raw materials imported into the United Kingdom, and taken for consumption by her manufacturers—

QUANTITY OF RAW MATERIALS FOR MANUFACTURES, TAKEN INTO CONSUMPTION IN GREAT BRITAIN IN EACH YEAR OF EIGHT SUCCESSIVE PERIODS.

| | Wool. lbs. | Silk. lbs. | Flax. cwt. | Hemp. cwt. | Cotton lbs. |
|---|---|---|---|---|---|
| 1790 | 3,245,352 | 1,253,445 | 257,222 | 592,306 | 30,574,374 |
| 1800 | 8,615,284 | 8,167,335 | 416,120 | 556,419 | 53,814,207 |
| 1810 | 10,936,224 | 1,796,106 | 511,970 | 955,890 | 126,018,487 |
| 1820 | 10,043,746 | 2,641,866 | 381,821 | 418,509 | 141,912,267 |
| 1830 | 32,313,059 | 4,318,181 | 944,096 | 506,771 | 255,426,476 |
| 1836 | 60,366,415 | 5,533,445 | 1,511,438 | 567,892 | 363,684,232 |
| 1840 | 52,862,020 | 4,756,171 | 1,338,217 | 612,515 | 437,099,631 |
| 1844 | 69,493,355 | 6,207,678 | 1,595,839 | 911,747 | 558,015,248 |

We have, in these figures, the most extraordinary increase since the close of the war; and this has been owing to the almost total abolition of the protective system as applied to manufactures. Wool has always been the object of care to the British government. Up to 1660, British-grown wool was allowed to be freely exported; in that year the export was prohibited, and remained so up to 1825—a period of 165 years. This measure grew out of the idea that the peculiar long staple of English wool was superior for manufacturing purposes, and, therefore, by preventing other nations from obtaining it, they should keep the manufacture to themselves. By this selfish policy, inventive genius was paralyzed, and the art of manufacture remained stationary. As soon as the French could obtain the English wool, their genius produced a quality of cloth altogether superior to that of the English. This stimulated invention in Eng-

land, and they soon rivalled France in merinos and other stuffs. The quality was improved and the price reduced by their means; and, notwithstanding that the fabrication of cotton and linen goods competed seriously with low-priced woollens, and the production of wool in England has increased 25 per cent. since 1800, the increasing wants of the trade have required the above quantities of foreign wool, which, as seen, have increased near 700 fold, and it is admitted duty free. The British New-Holland colonies have supplied a large portion of it; but the wool of the United States is now being rapidly introduced into English consumption, and will become a large item of export thither.

SILK was known as a fabric as early as Edward III., and the manufacture was introduced soon after the battle of Cressy, in 1347. We have already stated that a great impulse was given to it by the settlement of Spitalfield by the French refugees; and down to the close of the 17th century the manufacture flourished, both in France and England, until the value, which had been proclaimed by Horace and Virgil equal to its weight in gold, was, in 1694, fixed officially at 7s. 4d. per lb. for Bengal raw silk, and 11s. 4d. for that of Italy. In 1718, the manufacture received a new impulse from one John Lombe, who went to Italy and surreptitiously obtained models of machinery, which he erected at Derby. On his death, which happened soon after, the government paid his heirs £14,000 to annul the patent he had obtained, and silk-mills were speedily erected in all directions. About the year 1763, some improvements in throwing and in manufacture reduced the price, which producing distress, the usual remedy of prohibiting foreign silk was resorted to. This, of course, increased the distress of the operatives, and a serious riot, in 1770, was the result. Under the protection thus afforded, the manufacture declined, as is evident from a diminution in the import of the raw material. The events of the war, during the twenty years subsequent to 1793, when war was declared, caused the import of raw silk and the smuggling of the prohibited manufactures, to undergo great vicissitudes. The suspension of the war, by deranging the whole system of exchanges that had grown up, based upon the immense operations of the government treasury, produced ruinous disasters. In the year 1820, industry began to recover from the disastrous *effects of peace*. At the time of the silk riots, in 1773, order was restored by the establishment of a list of prices, which was legalized by George III., for the district of Spitalfields. After the war was over, and skill and industry began to regulate prices, and not protective laws, the manufacturers of Macclesfield, not subject to the "protection" of Spitalfields, were enabled to surpass them in the London market. The distress thus produced, resulted, in 1822, in the repeal of the protection of Spitalfields, the reduction of the duty on raw silk from 5s. 6d. to 3d. per lb., and the repeal of the law prohibiting foreign silks, thus throwing the trade open to competition. The effect of this freedom of trade, which it was asserted would ruin all the silk weavers of England, has been to raise the consumption of the raw material, from 2,641,866 lbs., to 6,207,678 lbs.; an increase of 3,560,000 lbs. in 20 years, or near 50 per cent. more than the result of the previous 500 years of protection.

The manufacture of LINEN has long been prosecuted in England; but about the end of the 17th century was indirectly encouraged in Ireland, to please the wool manufacturers of England. In the reign of William III., the woollen manufacturers becoming alarmed at the progress of the manufacture in Ireland, modestly asked to have it suppressed. The king, in answer, made the following promise:

"I shall do all that in me lies to discourage woollen manufactures in Ireland, and encourage the linen manufacture; and to promote the trade of England."

The measure adopted was to prohibit the export of woollen goods from Ireland, except to England; and a prohibitory duty existed in England. As a kind of offset, a bounty on the export of linen from Ireland, was granted, which continued to 1830. The great improvements in the spinning of linen in England, have enabled her to create a large trade in the export of linen yarn to France and Ireland. The former has, of late, endeavored to exclude the yarn, to encourage spinning in

France; and the result will be the continued superiority of English and Irish cloths. The export of yarn from England was 30,000,000 lbs. last year; and is a new business since 1820. The consumption of the raw material has, it will be observed, more than quadrupled since 1820.

Cotton may be said to be the creature of the present century. Its history is altogether the most remarkable of the annals of human industry. By inspecting the above table, it will be observed, that less than 31 millions lbs., nearly all of Indian growth, was consumed in Great Britain, in 1790; and in the 54 years which has since elapsed, it has risen to 559 millions of lbs., mostly of U. States growth. We have mentioned, that from the earliest times, cotton has been made use of in India for clothing; but it never became an article of importance until the United States undertook to furnish it to the world. The American cotton is of two kinds, Sea Island, and upland. The former grows on the sea-coast, has a smooth black seed, and is easily separated from the wool. The latter grows on the upland, and is of short staple, growing from and adhering firmly to a green seed. The difficulty of cleaning the cotton was such as to render the culture, to any extent, worthless. It could not be worth the labor of picking the seeds out by hand. In 1793, however, Mr. Eli Whitney, a native of Massachusetts, and a gentleman of rare mechanical genius, invented a machine for clearing it from the seed, and this invention enabled England to defeat Napoleon, and will yet revolutionize the world. The machine came into operation in 1796, and gave effect to the steam-engine first applied to the cotton manufacture, in 1785, by James Watt, to the spinning-jenny of Sir Richard Arkwright, thrown open to the public in 1790, and to the power-loom of D. Cartwright, brought into use in 1801. These four wonderful inventions, nearly contemporaneous, gave that impulse to the consumption of cotton evidenced in the above table. From the year 1810 to 1820, the war, and other difficulties, prevented any very rapid increase; after 1820 it progressed astonishingly until it has now become, in value, one-half of the whole exports of Great Britain.

The extension of the manufactures, in the United States, has been great, but far less so than in Great Britain, because the consumption of cotton goods has been checked by the operations of excessively protective laws. The machinery of Arkwright had been long in operation in England, but every effort to import it into the United States failed, until the year 1790, when Mr. Samuel Slater, overseer for a partner of Arkwright, came to this country, and soon after, in connection with Messrs. Almy & Brown, commenced a factory at Pawtucket. From that time the manufacture continued to struggle on against protective laws, in the hands of a few men, and compared with England, has progressed as follows:—

LBS. COTTON CONSUMED.

| | 1790. | 1844. |
|---|---|---|
| England | 30,874,374 lbs | 558,015,248 |
| U. States | 500,000 " | 160,000,000 |

The English duties upon cotton goods were 10 per cent., and about 12 per cent. on the raw cotton, and which has now been abolished. In the United States the cotton is grown, and the duties upon foreign cottons range from 80 to 200 per cent. This, of course, will explain why a few cotton manufacturers are enormously wealthy, and that the consumption of the goods has been much slower than in England. In 1832, a congressional committee reported the number of mills and spindles, which, as compared with the return of the census of 1840, are as follows:

NUMBER OF COTTON MILLS IN THE UNITED STATES.

| | 1832. | 1840. |
|---|---|---|
| No. of Mills | 795 | 1,240 |
| " Spindles, | 1,246,503 | 2,284,631 |
| " Looms, | 33,506 | |
| Persons employed | 57,466 | 72,119 |
| Lbs. consumed, | 135,000,000 | 160,000,000 |

This was a period of the descending scale of the compromise act. It may be remarked, that the whole period, from 1790 to 1844, has been one of experiment. A constant succession of inventions, discoveries and improvements, both in spinning and weaving, as well as in printing, have, in England, operated to reduce the prices of the fabrics, and to promote their consump-

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tion in all their forms all over the world. Thus, it was not until 1814 that the power-loom was known in the United States, and was far from generally used in England in 1813. The constant occupation of the most fertile lands in the southern states, with the increase in the slave population in a ratio more rapid than that of the whites in Europe, have served to throw out a most prolific supply of the raw material, yearly, making England more dependant upon them for a supply.

The manufacture of cotton in Europe has progressed under all its difficulties nearly to as great an extent as in the United States. France imported, in 1812, 14,000,000 lbs. raw cotton, and in 1844, she received 120,000,000 lbs. from the United States; Germany and Holland, 20,000,000 lbs., and Austria 13,000,000 lbs., which describes nearly the extent of the manufacture in those countries. From what has been here said, it will be observed that the English manufacture has progressed since the peace in a greater degree than that of any other country, and for the reason that she has gradually abandoned entirely the principle of protection. The quantities of her leading exports have been as follows:

QUANTITIES OF LEADING MANUFACTURES EXPORTED FROM GREAT BRITAIN.

| | 1814. | 1827. | 1831. | 1836. | 1844. |
|---|---|---|---|---|---|
| Cottons, yds. | 190.474,707 | 365,492,804 | 421,385,303 | 637,667,627 | 885,969,819 |
| Cotton Yarn, lbs. | 12,282,354 | 44,878.774 | 63,821,440 | 88,191.046 | 132,832,952 |
| Linen, yds. | 45,130,000 | 55,132,189 | 69,233,892 | 32,088,769 | 69,232,682 |
| Linen Yarn, lbs. | | | | 4,574,504 | 29,490,987 |
| Silks | £219,398 | 236,113 | 578.874 | 917,822 | 590,189 |
| Woollens, pieces | 1,482,643 | 1,851,946 | 1,997,348 | 2,224.566 | 2,196,944 |
| " yds. | 12,193,815 | 6,460,094 | 5,797,546 | 9,099.824 | 10,725,859 |
| " Yarn, lbs. | | | 1,592,455 | 2,546,177 | 5,962,401 |

For these immense quantities of goods, the value of which form four-fifths of her total exports, is she dependant on foreign markets, and the general direction of the markets is as follows:

EXPORTS OF GREAT BRITAIN.

| | 1814. | 1820. | 1830. | 1836 | 1842. |
|---|---|---|---|---|---|
| To Colonies, | 15,025,456 | 11,717,252 | 10,004,399 | 15,469,312 | 14,770,097 |
| N. of Europe, | 14,693,580 | 11,680,906 | 7,320,654 | 11,570,542 | 16,830,416 |
| S. of do. | 9,292,630 | 5,288,074 | 5.066,749 | 6,317,029 | 5,373,955 |
| All other, | 6,482,553 | 7,738,420 | 14,772,570 | 19,937,287 | 10,404,555 |
| Grand Total, | £45,494.219 | 36,424,652 | 37,164,372 | 53,293,979 | 47,381,023 |

It is observable, that in spite of all the tariffs that have been enacted, and all the protection accorded to the manufacturers of the North of Europe, the market in that direction has increased more than to her own colonies, to which, by the way, the exports were large in 1814, during the war with the United States, for indirect entry into this country. Of the total of 47 millions sterling exported in 1842, 36 millions was of the above four articles, of which we have treated. It is apparent that that vast commerce is dependant entirely upon a state of peace, more particularly with that country on which England most depends for a supply of the raw materials. In the last quarter of a century, the progress of steam communication in vessels and on railroads, has been such as to "annex," commercially, the nations of Europe and America too closely to allow of future wars.

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# POLISH REVOLUTION OF 1830.*

"Tell the northern madman Poland must be free;
A Cœur de Lion to his inmost soul
Is each true Pole—and all the world shall see
That every freeman is at heart a Pole."

THE time is not arrived when the above motto shall be understood,—but as every day's events bring it nearer to us, I have concluded to bring forth some facts relating to the late Polish revolution, in which I was personally engaged. I will merely state the facts, of which I was an eye-witness, or in which I took some part, and let the reader form his opinion out of them, and see into the vista of futurity which they may, perchance, open to him.

Poland, at the time of the revolution of 1830, was—and, at this time, is—parcelled into five distinct portions. *One* portion of her territory, numbering about 11 millions of inhabitants, or more, is incorporated with the empire of Russia. *Another* portion, numbering 4.451,175 of inhabitants, is incorporated with the empire of Austria. *The third* portion, with a population of 3,682,205, makes a part of Prussia. *The fourth* part, numbering 140,000 inhabitants, constitutes the *independent* Republic of Cracow;—but under the "paternal" tutelage of the emperors of Russia and Austria, and the king of Prussia. The *fifth* part, numbering over 4 millions of inhabitants, constitutes the Kingdom of Poland.† This kingdom has a separate existence, and is united with the empire of Russia only politically. The emperors of Russia are its kings, and do not rule it in their character of emperors, but in that of the kings of Poland. The seat of government of this kingdom is in its capital city at Warsaw,—and here the revolution of 1830 commenced. Some writers state that when this revolution commenced, the Russian army did not exceed two or three hundred thousand men,—the fact is, however, that it did exceed six hundred thousand men before the French revolution of July; and immediately after that revolution, it was increased to eight hundred thousand men,—of which there were more than 180,000 in the Polish provinces, incorporated with the empire of Russia, and about 18,000 in the Kingdom of Poland, viz:—Some 10 or 12 thousand were in the city of Warsaw, and in the fortress Modlin, situated about 15 English miles from the city of Warsaw; and about 6,000 Cossacks were on the frontiers of the kingdom. The Polish army, at the same time, numbered 32 thousand,—of which three thousand seven hundred were in the city of Warsaw, and the residue, 27 thousand some hundred, spread in various parts of the kingdom. The Russians who garrisoned Warsaw,

* The above communication is from the pen of G. Tochman, Esq., now Counsellor at Law, in the Courts of New-York, and in the Supreme Court of the United States. Mr. Tochman is a native of Poland, and he is a nephew of the celebrated Polish General-in-Chief, SKRZYNECKI, who caused the Autocrat's throne to totter to its very foundation. Mr. Tochman entered the Polish revolutionary army as a volunteer, and in a few months was promoted to the rank of Major, and obtained the Gold Cross of Honor, "Virtuti Militari." On his arrival in France, as an exile, in 1832, he was elected Vice-President of the Polish Council at Avignon. He came to this country in 1837—and made himself known amongst us as Professor in the Louisville College, in Ky.; then as a public lecturer, in behalf of the wrongs and woes of his country—and by a triumphant controversy with a contributor for the columns of the National Intelligencer—who, for several years, abused Poland and the Poles, and pleaded the cause of Russia and its policy. Major Tochman has become now an American citizen, and is residing, and practising law, in the city of New-York, whose Bar we are happy to see adorned by the distinguished talents and admirable personal qualities of so welcome an exile.—[ED. D. R.

† The above enumerated population is spread only over the territories which constituted Poland before the first partition, which took place in 1772. But should we include the population of Smolensk, Livonia, Courland, and the provinces inhabited by the Cossacks, Tartars, and Valaques, which provinces were once incorporated with Poland, and then lost—at various periods before 1772,—its population would amount to 33,962,235, according to the census taken before 1838. This I state here upon my own knowledge, and the authority of the Journal des Travaux de la Société Française de Statistique Universelle, v. 5, page 119;—de l'ouvrage de M. M. Traugott Golthilf Voigtel, edition de 1835;—and also Researches of Mr. Schnitzler and Mr. Stanislaus Plater, &c.

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were lodged in the barracks, situated in the extremities of the city, and communicating one with another by a Macadamized road, which runs around it. Of the two barracks situated in the centre of the city, one was occupied by 1200 of our soldiers, and the other by the Russian guards. The remainder of our soldiers who garrisoned the city, were divided into very small detachments, and lodged in the same barracks with the Russians. It appeared from this location of the Russian army, that the city was besieged. Besides, the Russians had on all the squares, principal places, and streets, military posts, which maintained strong patrols, day and night. These patrols met every hour at the appointed stations, and communicated their observations to their respective commanders of the aforesaid military posts—who, in their turn, were watched by the superior officers roving on horseback from one post to the other—and reporting their observations every hour to the central military post, which was located in the centre of the city. The general commander of this last post, three, four, and sometimes five and six times a day, personally reported to the Grand Duke Constantine (the brother of the Emperor) all the news which was thus gathered by him. There was, also, an organized body of secret spies spread throughout the kingdom, (and in all the parts of the Russian empire.) A list of two thousand, at Warsaw only, was found in the office of the Grand Duke Constantine. These spies mingling with the unsuspecting inhabitants, in the common course of business, reported their observations, and often their own imagined suspicions of plots or conspiracies, to the police inspectors, whose number was 52 in the city of Warsaw, and seven or eight in the suburb of Praga. The inspectors again reported all the gathered news to the police commissioners. And these last were obliged to see, twice a day, the chief of the police office to report to him, personally, their daily intelligence, and to receive from him the daily orders of the Grand Duke Constantine. This chief of the police was a privy counsellor of the Grand Duke, and communicated with him three times a day, and more, when the occasion required. Besides this, there were spies watching the spies, and these *overspies* communicated, personally, with the Grand Duke Constantine himself, and only at certain appointed periods in the dead of night. So closely were the Poles watched when the fire of the revolution, which burst out on the 29th of November, 1830, was smouldering in their hearts. And, yet, when the 29th of November came, no sooner was the appointed hour of half-past six in the evening sounded from the towers of the city, than some companies of our troops, numbering about 500 men, took their position under the arsenal, which was very near the Russian barracks, situated in the centre of the city; and about a thousand men took possession of the roads which as aforesaid communicated between the barracks occupied by the Russians; a few hundred men at the same time secured the national bank and the treasury. This being done, a number of officers of the army, some citizens and students of the University, hurried on horseback and on foot through the street, calling, "to arms!—to arms!—the arsenal is ours." At this same time, Lieutenant Wysocki, a professor in the military school of the Polish cadets, which school was situated in a romantic thicket at the distance of about four English miles from the arsenal, addressed the cadets in the following terms: "Poles, the hour of vengeance has come, this night we must conquer or die!—follow me, and may your breasts prove a Thermopylæ against the enemies of freedom." The number of cadets did not exceed 163. Three of their youthful heroes and sixteen students of the university, who were waiting in the thicket, went instantly to the palace of the Grand Duke Constantine, in order to arrest his Imperial Highness, which palace is situated at the distance of an English mile from their military school. And 160 cadets attacked, at this same time, two Russian barracks, situated in the opposite direction, at the distance of half a mile from their school. There were near two thousand Russian cavalry in the above named barracks. But so unexpected and so brisk was the attack of our cadets, that the Russians were completely routed and dispersed in less than five minutes. Some of our companies had to unite with the cadets, at the signal to be given by firing

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a house on the hill. But the attempt of firing that house having failed, Lieutenant Wysocki, who commanded the cadets, immediately moved with them towards the city. On his way, he met a detachment of more than 600 Russian cavalry, ready to dispute his passage, which happened just in front of a noble and imposing equestrian marble statue of John Sobieski, whose horse is trampling on the bodies of conquered Turks. Our young heroes look at him. They discover his horse appearing to charge, at their head, upon the Russians. They obey the command of his hand pointing at the Russians. They throw themselves forward, bayonet in hand, and in one minute the Russians are routed. Just when this took place, the three cadets and sixteen students, who, as we have seen, went to arrest His Imperial Highness, the Grand Duke Constantine, returned and joined their fellow-cadets, commanded by Lieutenant Wysocki, and reported that the Grand Duke Constantine had escaped through a secret retreat. Scarcely had this little band of cadets passed the narrow passage which, a moment before, seemed to be their grave, than they were charged by another body of about eight hundred Russians, whom they received with so deadly a discharge of muskets, and then with bayonets, that the Russians lost more than one-third of their number, and beat a retreat in great haste and confusion. After these first exploits, the little band of cadets reached the city, shouting, "Poland for ever! Freedom for ever!" They were greeted with the utmost enthusiasm by the people, who, amidst repeated shoutings of "Poland for ever! Freedom for ever!" from all quarters of the city, rallied to strengthen their little band. So rapid was the succession of these events, that, at 8 o'clock, just when the Russians organized their forces, and began to attack the Poles who defended the arsenal, the said band of the cadets arrived in time to take part in this engagement too. Here, again, the Russians were defeated, with a very heavy loss. To show what terror their success spread amongst the Russians, I will relate an anecdote:—When the Russians were retreating from the arsenal, at some distance from it, they met a few of our soldiers with a very small body of people, almost without arms; and when this little band of our soldiers and people were preparing to retreat before the ten times superior enemy, the Russians sent to them a flag of truce, with a request for a free passage. This, of course, was granted to the Russians; and they passed in front of this little band of the Poles, saluting them according to the military rules of honor, to which the Poles shouted, "Poland for ever! Liberty for ever!" At this same time, several other battles were fought in other quarters of the city, and every where the Russians were beaten. At 10 o'clock in the evening the whole city was in our possession, except the place of Mars, which the Russians occupied during the night, but evacuated peaceably by day-light. It is impossible to give a description of the ecstatic joy which, after these deeds, filled our city. Thousands of victims, who, for their political opinions and love of liberty, were to have been executed or sent to Siberia that very night or the next day, joined the procession of our triumphant people. Here the father saluted his son or daughter. There the child embraced his loving mother. In another place, the husband re-joined his faithful wife whom he had not seen for years. There, again, friend met friend with Polish frankness and sincerity. No spy was feared; no Russian foot trod our streets. Nature appeared to behold with deep reverence our heroes. The night was beautiful. The majestic moon gave us day-light, as if to make us see the spring-flowers of our recovered freedom; and its silvery beams, reflecting upon the thousand beauties of our city, almost made us believe that we were amongst the angels. The stillness of that charming night was disturbed no more by the agonizing groans of the victims of liberty. Patriotic songs and the triumphant discharge of cannon, which filled the air, carrying fear to the camp of the Moscovites, were the pulsations of a new life; and at day-light, on all the streets, squares and public places, the Polish white-crested eagle, in its majesty, saluted the people who, last night, rescued him from the craw of the black two-headed eagle of the Moscovites. The following day found 40,000 armed citizens in the streets of the city of Warsaw, and

Prince A. Czartoryski at the head of the new government.* The command of the army was entrusted to General Chlopicki, who distinguished himself in the wars of Napoleon. The Grand Duke Constantine, with his army, encamped near the village of Mokotow, about four English miles from Warsaw. I cannot deny myself the pleasure of stating here, also, that this revolution created a general enthusiasm. There was no distinction of age or rank.—The difference of wealth there seemed to be annihilated. Poland! Liberty! Freedom! were the focus and rule of the event. The sumptuous and pompous fêtes, by which the despotism of the Czar endeavoured to corrupt our virtues and patriotism, gave place to celebrations of the deeds of our illustrious fathers—and to the funeral venerations of the shades of murdered victims of liberty. And no sooner had the echo of liberty, and cry to arms, resounded in the interior of the country, than every hour we saluted new detachments of our soldiers, and new bodies of our peasants armed with scythes, who were escorted by numerous groups of our charming and joyful country girls, with sickles and laurels in their hands. Whatever the mercenary and ignorant writers have said on the character of this revolution, it was so popular, and so closely united the whole nation into one pillar, that the Grand Duke Constantine thought it advisable for him to recommend himself, and his army, to the magnanimity of the Polish nation, and asked permission to evacuate the kingdom, which was granted to him, and he commenced his retreat on the 3d of December. One or two illustrations in the following facts, may, perhaps, throw some additional light on the character of this remarkable movement. When the Grand Duke and his army were retreating to Russia, they met a division of our lancers, who were marching to Warsaw; these lancers being informed that the Grand Duke and his army were permitted to go to Russia, halted, in order to pass through the usual military saluting. The Grand Duke approached them with his suite, shook hands with a number of officers, and even soldiers, and reminding them that he was the lawful chief of the Polish army, endeavoured to induce them to go with him to Russia, offering to them money, and promising the favors of the Emperor. The lancers, with manifest indignation, replied: "Your Highness, we do not want your money, and we thank you for the favors of your monarch. As for the command to which you refer, there is none more sacred to us, than the call of our country, and we do not want any other reward than the privilege of fighting in defence of her cause." After this answer, the whole division wheeled, and continued its march, singing, "Poland is not lost, while we live." The revolution of 1830 found a great many Poles in the service of the Russian army. Many characteristic events happened when these Poles were leaving the Russians—I will relate, at least, one anecdote. Colonel Turno was aide-de-camp to the Grand Duke Constantine for 14 years, and was his great favorite, and protégé. The Grand Duke expected, of course, that the said Col. Turno would follow him to Russia. But what was his surprise, when, on the frontiers of the kingdom, Col. Turno rode up to him to take leave—and said, "Your Highness, I have done all that the honor and duty of your aide-de-camp enjoined upon me. I have accompanied you to the frontiers of the kingdom—here my duty ends with regard to you. As a Pole, I have to answer, now, the summons of my country."

The purpose, character, and limits, of this article, do not permit me to enter into a minute description of the operations of the new government, and its changes in the first few weeks. I will state only, that during all its changes, Prince Adas Czartoryski remained at its head as President. That on the 7th of December, Gen. Chlopicki was proclaimed Dictator, by the people of Warsaw, and then approved as such by the Diet. That instead of taking measures to place the whole country in a

* Prince Adas Czartoryski was born in June of 1770. He is a descendant, in collateral line, of the Jagielons family, which reigned in Poland from the time of the union of Lithuania with Poland, (1386,) until 1571, when the throne became elective. His personal patriotism, talents, and services, rendered to the country, gained him this confidence, which placed him at the head of the revolutionary government. He is now in Paris, France, as an exile, where one of the most interesting circumstances of our recent visit to that capital, was the pleasure of forming his acquaintance, as in Brussels we had enjoyed that of his gallant compatriot, and noble soldier of freedom, General Skrzynecki.—[Ed. D. R.

defensive state, the Dictator entered into negotiation with Nicholas, against the wishes and will of the nation; and that this strange conduct of the Dictator forced the Diet to deprive him of his trust. Prince Michael Radziwil was appointed General-in-chief of the army. Prince Adas Czartoryski remained the President of the newly reorganized government. In the midst of this series of events, the Diet issued a manifesto, proclaiming to the world the causes and purposes of the revolution; and a few days after, passed the famous act, declaring in a formal manner, that Nicholas, and all his imperial family, are for ever rejected from the Polish throne. The clang of arms resounded anew from one end of ancient Poland to the other. The shouts of liberty were heard from the Carpathian Mountains to Riga, on the Baltic—from the shores of the Baltic to those of the Black Sea, and the banks of the Dnieper. All the provinces incorporated with the empires of Austria and Prussia, were ready to shake off the German yoke. But as the principle of neutrality was then in force in Europe, the inhabitants of those provinces were advised to remain quiet, because their revolution would have involved us in a war with the three powers at once—which our government thought to be advisable to avoid. Still, the governments of Austria and Prussia found themselves in such perplexity, that they were obliged to bring more than half of their respective armies into the Polish provinces, incorporated with their empires. We had, however, immense numbers of volunteers from these provinces, who braved all the difficulties of passing the frontiers, literally covered by the Austrian and Prussian soldiery, and rallied under our standards. As to the provinces incorporated with the empire of Russia,—these all revolted, and sent their representatives to the Diet, at Warsaw. The whole of ancient Poland became now a camp. Our old men imagined their wrinkles to disappear, under the old republican cap, which the cry of liberty drew from the dust of years of slavery. Their antique sabres shone again in their trembling hands—and the universal alacrity which overtook them, as well as the youth, caused their furrowed cheeks to glow with color and mirth. Our ladies, welcoming their lovers, asked scars and glory as tokens of their fidelity. Many of them, assisted by their fathers, husbands, or relatives, were our commanders—even in the field of battle. The Countess Emily Plater was a colonel, which rank she gained for bravery displayed on the field of battle. Miss Kaminska gained the rank of captain. One lady was the first lieutenant, and her husband was the second lieutenant in this same squadron, &c. Our mothers lamented the fate of their children, who were destined to bury their names in inaction. Our peasants, the old companions of Kosciusko, bending under the weight of their age, disinterred their rusted scythes to commit them to their sons. The remainder of our jewels, and all the deluge of precious things which ages accumulated in the hands of industry, and in the grasp of avarice, as if by the power of magic, were brought to the common reservoir—to our national treasury. The ancient church bells, which had survived the former wars, descended from the tops of towers, to hurl into the enemy's ranks the balls which the iron of our domestic utensils had furnished. All personal and private occupations were suspended. One single aim—the defence of the state—united all hearts. And when the anvils and hammers were forging only arms, the ministers of the Gospel, the ladies, the old men and children of all classes, with pick-axes and spades in their hands, amidst rejoicing acclamations, were busy erecting the fortifications; and those whose health did not permit them to work hard, prepared bandages, which the martyrs of liberty might soon need. The rolling of wagons, the neighing of horses, the cry of liberty, songs and adieu, mingled with joy and sobbing—all seemed to testify that the heroes of Homer ceased to be demigods; that the Iliad was no more a fiction; and gave omen that the legions of Achilles should be found in Poland. Nicholas trembled; and covering his fear with bombastic manifestos, he moved not only the whole of European Russia, but also all the Asiatic dominions. From the chain of the Ural mountains and the deserts of Siberia to the icy regions and the Pacific ocean, the earth was covered with crowds of his savage

slaves; and in January, 1831, over four hundred thousand of his soldiery, with more than six hundred cannon, were brought into the Polish provinces incorporated with his empire, of which over 300,000, with four hundred and sixty cannon, (in February) entered the kingdom of Poland, where, as we have seen above, the revolution was commenced. Marshal Diebitsch commanded this army. Some writers, and even some of my own countrymen, considerably lessen this number, and relying upon the so called "official reports," which the obvious policy of the Russian government had put into circulation, do not admit that Russia, at the time of our revolution, could bring such a number of soldiers to the field of battle. They do not admit, too, that more than 200,000 Russians, with 400 cannon, entered the kingdom. The writer of this article is satisfied, however, that his information on this subject is pretty correct, and may be relied upon with more certainty than upon the "official reports," put in circulation by the Russian government, whose policy is to conceal from the world the before unheard of superiority of the Polish army over its own. The above sketch of the enthusiasm, which pervaded all classes of the Polish people, might have, perhaps, given place to a belief, that the whole population of Poland was in the camp—ready to meet the Russians. It was, in fact, ready to do so; but the condition of our finances, want of arms and ammunition—and the impediments which the unhappy misconduct of the Dictator, above alluded to, threw into our way, did not permit us to equip, and oppose to the Russian army, when they invaded the kingdom, more than 60,000 troops. Of these, about 15,000 were in fortresses, and composed separate detachments, whose duty was to divert the enemy from concentrating all his forces upon any one point—and to protect the organization of the new regiments. The remainder, 45,000, with 80 cannon, composed our main field-army. This main army, when the Russians were approaching the kingdom, was encamped at a distance of a few miles from the frontier, in such a manner as to be able to concentrate easily at every point of its oblique line. Our vanguards extended to the very frontiers of the kingdom. But it was decided by our council of war, that the principal battle was to be given under the walls of the city of Warsaw, on the right bank of the Vistula. In execution of this plan, our whole army was retreating for several days; taking, however, advantage of every strong position, it fought many a battle. The most remarkable of these battles, fought in retreat as aforesaid, were; the defence of the passage of the river Liwiec, where a few — about nine hundred Poles, with two cannon, commanded by Major Wysocki, (the same who was lieutenant of the Cadets when the revolution commenced) opposed, during all the day and night, an army of about 20,000 Russians, protected with 20 cannon. It has been said that the Russians lost between two and three thousand men, and they did not cross the river, until Major Wysocki recommenced further retreat. This exploit astonished the Russian Generals as much as the death of the 300 Spartans did Xerxes. One of the Russian Generals, having ascertained what number of Poles defended that passage, is said to have exclaimed, "What can we do with 60,000 Polish troops before us—when 800 have the power to stop us whole days."

A few days after, when our main-army was only a few miles from Warsaw, from 40 to 50 thousand Russians attempted to break its line, and to surprise its rear. Gen. Skrzynecki, with 8,000 men, diverted, however, their plan. He gave them two battles, near Makowiec and Dobre, and kept them back until the whole of our main-army concentrated, and reached its position. The manœuvres which Gen. Skrzynecki displayed on this occasion, and the complete defeat of the Russians, gave him the title of the hero of Dobre—and a reputation which soon placed him at the head of the whole army. On the 19th and 20th of February, about 100,000 Russians, with 200 cannon, were disputing the ground against about 30,000 Poles and 72 cannon. The Poles gained the day—and Marshal Diebitsch, who commanded the Russians, had the mortification to learn at this same time, that whilst this battle was fought, the legislature (whose walls were tottering under the discharges of his cannon) passed an act proclaiming, that should Poland be

once more overpowered by the Asiatic hordes of the Czar, her national representation shall be there wherever 33 members of the House of Representatives, and 11 senators, shall meet together and deliberate upon her destiny. So great was the loss in these two days, on the part of the Russians, that the conqueror of Balcan (Diebitsch) asked a truce for three days to bury his dead. This, of course, was granted to him. The scene which then succeeded, surpasses all the idea we can form of a people that loves liberty. During the time of truce, our camp was but a sanctuary where this love of liberty was celebrated. All the inhabitants of Warsaw—old men—children—and its beauty, welcomed us in this camp. Songs and cheers, mingled with the sobbing of those who could not find their fathers, their sons, their husbands, their brothers, their lovers, presented a scene which a heart can feel, but no tongue can express. It was an interval of triumph, joy, and sadness, which produced on our soldiers a result like that which a shower produces on the plants dried up by the burning rays of the sun. No sooner had the time of truce expired, than the call to arms resounded in the whole camp. The attack was commenced by the Russians, and both armies performed miracles of bravery. After two days of fighting succeeded rest. I would have been pleased to have seen my readers amongst our soldiers, and to learn from them this moral power, and their determination, which no danger, no fatigue, could subdue. To the new propositions of submission, and offered amnesty, they answered by the calm silence of disdain, and asked for independence to their country. And after having secured the points of their bayonets, they reposed over the dead bodies of their own brothers, satisfied that they had done their duty in the past few days. Their repose was, truly, a representation of undisturbed virtue, which calmly, and in full resignation, awaits her destiny. The next morning dawn commenced with the new clang of arms—and the exclamations of alacrity, which were lost in the repeated echo of "Poland for ever! —Liberty for ever!" This clang of arms sounded without interruption, and with the rising sun we discovered 200,000 bayonets of the Czar* coming from the large forest, called Milosna, which crowns the plains extending from its borders to Warsaw. It appeared as if this large forest, pulled up by its roots, was moving to overwhelm the small thicket of alders which protected the right wing of our small army that braved the rage of the autocrat. About 400 cannon of the enemy, and ninety-nine of ours, thundering continually, covered the horizon with smoke and lightning, made the earth tremble, and carried death amongst the battalions, which, under the canopy of the fire of bomb-shells, were slaughtering each other. Our stronghold of the right wing, the small thicket of alders, was taken and retaken nine times in the course of a few hours. The dead bodies, with which it was literally covered, served us often for breast-works. At five o'clock, P. M., General Chlopicki, who commanded our movements, was severely wounded. † Consternation spread throughout our line. All our battalions, like wrecks, were floating in the midst of smoke, fire, and the enemy's columns, which had, like furious waves during the storm, carried us hither and thither. At this point of time, a charge of 20,000 Russian cavalry swept the way before their foot-phalanx, driving away our scattered columns. In the rear of our camp, the suburb of Praga presented but a mass of fire, extending over three miles in length. Thousands of wagons and carriages, filled with wounded, obstructed the communication with Warsaw, and deprived our artillery of powder. It thundered no more. Already the cry, "Poland is lost!" resounded on the proud wall of that city. Already the hero of Balcan saw himself a conqueror; and when such was our situation, the ladies of Warsaw, its children, and people of all classes, brave the flame of the suburb of Praga; they

* Some writers say that there were no more than 160,000, and others deny even this number—but the writer of this article does not exaggerate in stating, that there were 200,000.

† Prince Radziwil was the actual General-in-Chief of the army; but, at his own request, and under his name and control, Gen. Chlopicki actually commanded the movements of this battle. He had three horses killed under him before he was wounded.

take on their own shoulders the wounded from the wagons and carriages—carry them to safe places, and pulling down all that obstructed the communication with Warsaw, furnish ammunition to our artillery-men, who had taken shelter with their cannon in the flames of Praga. A furious discharge of shells, bombs, and grape, puts in disorder the Moscovites, who are already within the limits of the suburb. Their sudden retreat communicates terror to their other columns. The eagle-eye of Gen. Skrzynecki taking advantage of this circumstance, he throws all his forces upon the rear of the wavering enemy. Some squadrons of our lancers obey his order; and throwing themselves into the midst of the broken squadrons of the enemy, retard their re-organization, whilst an unexpected discharge of rockets drives back their new squadrons, running to secure the former. And this brings our scattered columns and squadrons to a new life, and their muskets, bayonets, lances and scythes, achieve the victory. Diebitsch, who, a moment before, considered himself a conqueror, sees now but a flying skeleton of the imposing array of his Czar. The Russian reporters say that they lost only 5,000 men on that day. For the sake of humanity, I would wish it were true; but more than 25,000 were missing in their ranks.

Our loss was considerable, too—especially in wounded—and so wearied were the whole army, that we could not venture to pursue the Russians in their retreat. And in the night our whole army crossed the Vistula, to take rest and recruit in the city of Warsaw and its environs, on the left bank of the Vistula. Thus ended the famous battle of Grochow, (fought on the 25th of February, 1831,) which astonished the whole civilized world, and gave a new life to our revolution. Next day General Skrzynecki was chosen General-in-chief of our army—which now took the offensive position.* Our first movement was not, however, recommenced till the 30th of April, when Gen. Skrzynecki, with some 20,000 of our troops, falling, with morning's dawn, like a thunder-bolt on a Russian army 60,000 strong, which was encamped on the field of Warwer, routed it completely in less than two hours, making 16,000 prisoners, and taking a number of cannon and various military stores. Whilst the main army performed these wonders of bravery, the separate detachments, under the command of Generals Chrzanowski, Dwernicki, Rozycki, Dembinski, and the volunteers in the provinces incorporated with the empire of Russia, especially in Lithuania, distinguished themselves in a degree that they have no reason to envy the glory to their fellow soldiers who fought under the walls of Warsaw. But as the sketch of their exploits would extend this article far beyond its intended and due limits, I will merely state, that the successes of our arms, gave us, as trophies, 50,000 prisoners, about a hundred cannon, a number of standards, several thousand fire-arms, and a great quantity of various military stores. And they exhausted the forces of Russia so much, that even the privileged corps of the Imperial Guards, about 30,000 strong at that time, was brought against us—the undaunted "rebels." This corps was commanded by the younger brother of the emperor, the Grand Duke Michael. It was defeated, (I believe for the first time in the annals of its existence,) under the walls of the town of Tykocin, on the 20th of May—and its Commander-in-chief, the Grand Duke Michael, escaped only "by the skin of his teeth." Soon after the succeeding battle of Ostrolenka, fought on the 26th of May, in which the enemy lost 15,000 men, Marshal Diebitsch and the Grand Duke Constantine died suddenly;—the former, perhaps, of chagrin at seeing his fame and glory vanish on the banks of the Vistula; the latter, it is said, died of the cholera—but the Poles who knew "the good heart of the Emperor," not from his smiles, but from his deeds, are of unanimous opinion, that he died of a diplomatic pestilence which came on him, not from Asia, but from the cabinet of St. Petersburg. Whatever, however may have been the cause of the death of these two men, Diebitsch and the Grand Duke Constantine, it is a fact, that the Emperor of Russia learned that his gigantic army was as powerless, as

* Gen. Skrzynecki, commenced his military career in the Polish legions. In 1812 he was Major in the whole campaign of Napoleon against Russia. Our revolution found him Colonel of the 8th regiment of light infantry. At the battle of Makowiec and Dobre he was General of Division.

was Goliah when he met David. In about eight months of struggle, his enormous army, which invaded the Polish provinces incorporated with his empire, and the kingdom of Poland, with all its numerous reinforcements which were pouring daily from the interior of European Russia, and its Asiatic dominions, was reduced to about 130,000 men, whilst our army, which numbered only 60,000 men when the revolutionary war commenced, (exclusive of losses.) increased, now, to 80,000—and we numbered from 40,000 to 50,000 in the corps of Gerilas (volunteers.) In this state of things, Czar Nicholas resorted to a diplomatic art—and having found a tool in the person of His Majesty, the Citizen King, (Louis Philippe, of France,) he accomplished what his whole army could not. Whatever apology Louis Philippe may offer for his conduct towards Poland during the revolution, he cannot deny, that promising an armed intervention in favor of Poland, he induced Gen. Skrzynecki to relax the offensive operations. It is not my object to say, whether Gen. Skrzynecki's confidence in Louis Philippe's promises is excusable or not. But I cannot abstain from remarking, what is now known beyond any doubt, that Gen. Skrzynecki acted according to the advice of Louis Philippe, fearing lest the chance of war, in his further offensive advances, should turn against us—because, had we been defeated in a single battle between the two main armies, he had not, like Napoleon, new ready armies at his command; and although Poland had men enough ready to organize a new army to any amount, she was destitute of money, arms, ammunition, and could not obtain them from abroad. With this remark, I leave my readers to form their own opinion, whether Gen. Skrzynecki's acting according to the advice of Louis Philippe, in order to obtain this armed assistance which he promised him, may be excusable or not. I will simply state, that this diplomatic interference of Louis Philippe saved Russia, and lost to Poland the fruits of her revolution. Since Gen. Skrzynecki remained inactive—a mistrust in him, and other leaders, was created amongst our people and the army. And this, after some reverses of our detached corps in Volynia and Lithuania, and their forced entrance into Austria and Prussia, produced a movement which subverted the government, at the head of which was Prince Czartoryski, and compelled General Skrzynecki to resign his trust, and placed at the head of both, the government and the army, Gen. Krukowiecki, who proved to be a Polish Benedict Arnold. In 20 days after that, the tables turned in favor of Russia. Whether Gen. Krukowiecki was bribed by the Czar of Russia, or not, let the facts answer. No sooner had he taken the command of our army, than he sent Gen. Romarino with 21,000 men on the right bank of the Vistula, at two or three days distance from the city of Warsaw, and disarmed several thousand citizens of Warsaw, whom Gen. Skrzynecki ordered to equip and keep themselves ready to co-operate with the army. This was done at the very moment when the whole Russian army was concentrated under the walls of Warsaw, on the left bank of the Vistula, where Gen. Skrzynecki permitted them to approach and encamp, with the intention of giving them, there, a general battle. Gen. Paszkiewicz, (who commanded the Russians after the death of Marshal Diebitsch,) being apprized that the garrison of Warsaw was thus reduced to 30,000 men only, ordered an attack. A three days battle, in which the Russians lost more than 20,000 men, (some maintain that 29,000,) did not see Gen. Krukowiecki acting as General-in-chief; but he was continually negotiating with the Russian Gen. Paszkiewicz, spreading terror amongst the members of our diet and the authorities of the city, and proposing to them a submission, or, at least, a capitulation of the city. On the third day, towards evening, he sent more than half of the army which defended the city on the left bank of the Vistula. The soldiers passing the bridges were under the impression that it was a manœuvre, and expected to re-pass the river a few miles below, to take the rear of the enemy by surprise. But to their great astonishment, they and the citizens of Warsaw learned that it was a manœuvre to compel the authorities to capitulate the city. And this is what the Russians call "we have taken Warsaw by storm," and what caused a French minister to say, in Paris—

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"peace reigns at Warsaw." After this ignominious treachery, the residue of our army were, of course, compelled to evacuate their positions and cross on the left bank of the Vistula; and the "victorious" Russians, on the 7th of September, 1831, entered the city. I did not see them in Warsaw, as I was on the left bank of the Vistula, with the army that first passed the bridges, but I was told that all their officers and soldiers entered it with green branches in their helmets, as emblems of this memorable victory! "Sic transit gloria mundi!" Gen. Krukowiecki remained in Warsaw to rejoice with the Russians of the "victory" which he achieved with them and for them and our army, which left Warsaw 27,000 strong, but deprived of all necessaries and ammunition, retreated towards the fortress Modlin, situate about 150 English miles from Warsaw. The depressed spirit which this treachery created amongst our soldiers, want of all means, and the desire to spare the lives of our braves for a more auspicious time to recruit, equip and maintain the troops, induced our leaders to suspend farther efforts of the nation and military operations; and after a month's march, namely, on the 5th of October, the whole army which left Warsaw headed by General-in-chief Rybinski, entered Prussia. Shortly after, Gen. Romarino detached, as we have seen, from the garrison of Warsaw, entered Austria with a corps of about 20,000. Including the other small corps, guided by the same motives as the main army, more than 60,000, armed and unarmed Poles, entered those two foreign countries, Austria and Prussia, with the intention to go to France, and await there for a suitable opportunity to renew the struggle for the independence of their country—which did also all the members of government, and all the members of both houses of the Diet—with the exception of a few who were overtaken by the Russians, and made prisoners of war. The privates and non-commissioned officers, were, however, forced by the Austrian and Prussian governments, and their respective bayonets, to return to Poland, under pretext of a general amnesty, which the Czar Nicholas "most graciously" offered to them. They were, then, taken to the Russian army, and sent on the Caucasian line—many of them, succeeding in reaching Circassia, have become, there, military instructors, and are now teaching the Czar a new lesson, what a people, loving liberty and their native land, have power to do. So the officers of the army only, the members of Government, and members of the Diet, were allowed to go to France. Still, however, more than 9,000 Poles reached France, England, Switzerland, and Belgium—and some five or six thousand, under various characters, remained in various parts of Germany and Hungary; some are in Persia and Turkey, and a few in the United States, all acting for, and on behalf of, liberty and Poland, as apostles of the former, and a living protestation of the injustice done to the latter.

They are, in other words, representatives and emissaries of the twenty-four millions of people actually living on the soil of dismembered Poland—longing for their independence, and ready to prove, once again, "that every thing they have, belongs to their country, and every thing *their* country has, belongs to *free nations*." The members of the Diet of these people, in three times the number required by the act vesting in them the power of legislating wherever they shall meet together, are waiting in France, Belgium, and England, for a suitable season of answering the purpose of their great mission. And it is no poetic fiction when I say, that all the sons of Poland are forging again their bolts of just vengeance; and the day is not far distant when the lightning, red with the wrath of accumulated wrongs, shall burst in seven-fold fury over the heads of their oppressors—and traitors. What they can accomplish, let the sample of 1830 answer. There is no other Krukowiecki amongst them; and Louis Philippe's new offers nor promises will not again be listened to.

G. T.

*New-York, January* 1, 1846.

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# AMERICA IN 1846.

## THE PAST—THE FUTURE.

A NEW year opens, bringing, as is its wont, to individual man, thronging recollections that crowd upon his memory. The incidents of his by-gone years, losing their scattered character, are rapidly concentrated. The mind, as it dwells upon them, grasps as it were at once, and in their true bearing, the action of remote causes, before apparently unconnected, and sees, or thinks it sees, their now evident results. The future, too, grows out of the past. We foresee, as we believe, what that future should, and perhaps may produce. We anticipate the course we are probably to tread; and something more of unity and confidence of purpose is attained. Who has not felt this, as he passes through the portal of life from one year to another? Who that turns his thoughts from the individual to the mass—from the incidents that chequer or control the narrower sphere in which he moves, to those that attend upon the progress and destiny of that social system of which he is a part, does not look back, to embrace at one view the result of the institutions under which he lives—does not look forward and foresee the effects which are yet to arise from them, on the interests and welfare of those whom they protect and control?

Has not our own country reached, at length, that point, when we may justly make for ourselves this retrospect of the past and prospect for the future? Has not the period come when, dwelling less upon the scattered incidents, eventful and glorious as they have so often been, that mark our progress, we are chiefly impressed with and rejoice in the great result which their combined influence has successfully worked out?

And how steadily, and rapidly, and gloriously has this been done? With indications how striking of the great purposes of providence, and the evident mission of our people! Scarcely three centuries have passed away, in the long revolution of six thousand years, since the vast and most favored region of the habitable globe was utterly unknown to civilization—almost to occupation. When, near the beginning of the sixteenth century, Columbus, not in search of a new world, or believing that one existed in the midst of an untraversed ocean, but pursuing his course towards populous India, known for thousands of years, suddenly came upon the islands of America; and the adventurous navigators, who quickly followed in his track, discovered its northern continent; they found a territory destitute almost of inhabitants, though teeming with every thing that could minister to the prosperity and augmentation of the human race. From the Mexican gulf and the cape of Florida, on the south, to the latitudes corresponding with Scotland, Stockholm and St. Petersburg, on the north—from the capacious harbors of the Atlantic, on one coast, to those of the Pacific on the other, extended a region whose surface, embracing six millions of square miles, was nearly twice as large as the whole of Europe, which supports two hundred and twenty millions of people; and more than doubled in extent the territories of China and of India, the dwelling-places of four hundred millions of mankind. In this, the fairest portion of the temperate zone, there might readily have lived, within the ascertained proportion of population as existing in the old world, five hundred millions of people.

Nor was it from extent alone that it possessed wonderful capacity for population—wonderful opportunities for the developement of social existence. Not reaching, on the one hand, to the sultry suns of the tropics, nor piercing, on the other, into frozen and inhospitable wastes; the mountains, almost universally, of moderate elevation, and the plains not sinking, in general, to

too low a level; its climate was salubrious to a degree not equalled in any region of similar extent. A soil, rich as the narrow alluvion upon the borders of the Nile, was spread over the surface of almost boundless prairies, fitted to nourish, in one part, the cereal grains of hardier climes, in a luxurious profusion only to be equalled by the wonderful growth in other parts, of cotton, and sugar, and tobacco, and rice, and the various products of warmer skies. Forests with every variety of timber; minerals adapted to all the wants of society, and so scattered as most readily to minister to them; rivers so spreading their interminable arms as to bring together and connect, by a common and easy bond, districts the most remote; harbors opening upon every sea, and inviting to profitable commerce;—by such features was this vast territory stamped by primeval nature, making it without a parallel on the surface of the globe, in what is best calculated for the social extension and welfare of the human race. Yet from this region, by nature made so attractive, was that race withheld. Some wandering tribes of Indians, not exceeding in their whole number the population of many a city in the old world, were, after the long lapse of nearly sixty centuries, the sole tenants of millions of miles, where hundreds of millions of human beings might have dwelt.

Nor was it by restraint of population only, that the usual and probable course of nature and events seemed, in this favored region, to have been thus held back for the fulness of time. In the Old World, man, starting from the germ of his existence, had with increasing numbers, made progress in the development of his moral, as well as his physical attributes. Every form of social communion had come into being; language, civilization, government, religion, science, art, and commerce had, through successive centuries, and from the farthest East to the Atlantic limits of the continent, given evidence of the natural development of his powers and desires. From savage life, small communities had arisen, and swelled in turn into nations. The early forms of uncouth superstition, after giving place to the creations of more cultivated imagination, and even to the speculations of an unsatisfied philosophy, had, at the fitting season, been supplanted by the teachings of inspired truth. The successive empires of Sesostris, of Alexander, of Rome and of Charlemagne, had combined numerous nations beneath the sway, and given to them the advantages of a common government; and been followed in their turn by the kingdoms of modern days that have risen from their ruins. Arts, and letters, and refinement had been borne by the Muses from the banks of the Ilissus to the shores of Tiber, and thence to the Rhine, the Seine and the Thames. The sails of commerce had whitened the seas of India, and of Britain; the Mediterranean and the Baltic. But not so was it, through the same long lapse of time, in the more genial climate and amid the richer resources of the North American continent. There, the few savage tenants of the wilderness lingered, in unimproved barbarity, ignorant of written language; speaking in a vocabulary the coarsest and most ungrammatical; with a superstition so vague and transient that it scarcely amounted to the rudest form of religious belief; not possessing even the plough or the loom; not dwelling in houses; not using the commonest of the metals; not venturing to navigate, in their miserable canoes, the oceans which spread along their coasts; only making unskilfully a few clumsy weapons, absolutely needed for their ferocious warfare or the chase.

Is it fanciful to think—nay, is it reasonable to doubt—that it was among those dispensations of Providence which so often have withheld, till the fitting season, the development of so much that has most deeply affected the social, the moral, the religious condition of mankind, that this glorious and abounding region was thus wonderfully reserved, with all its unequalled advantages unknown, and all its original brightness undiminished, to be brought to the uses of civilized and enlightened man, at an era and in a mode which were to disclose new principles, and diffuse new blessings in the onward progress of his race—*magnus ab integro sæclorum nascitur ordo?* In the Old World civilization had grown up from barbarism by slow degrees; habits had too often usurped the place of principles, and belief the place of reason; power, long established, had acquired

reverence; what was local, or conventional, or traditional had come to be recognized as intrinsic truth; and around all the fabrics that civilization, and religion, and art, even with the sincerest aspirations for human well being, had erected, innumerable excrescences were of necessity entwined. In vain, could enlightened reason hope, amidst such things, to exercise untrammelled sway; if exercised, could less than centuries effectually change, in the scenes where they existed, and where so many interests were alive to protect and even to vindicate them, the habits, and prejudices, and belief, and power, and institutions which centuries had served to create and strengthen? For the New World beyond the ocean was this destiny reserved; thither might be borne the treasures that reason, long searching in the mine of social being, had separated from its dross; and there the spreading philanthropy, which eagerly aims at the widest diffusion of social welfare, might well hope to found, and build up from their foundations, institutions such as she could not elsewhere rear.

And to whom was this glorious destiny assigned? The liberty of man, in the new world, was not to spring from the rude license of untamed barbarians; nor the restraint of government from the lessons of sweeping conquerors; nor the energy of industry, from the cravings of poverty and want; nor religion, from the fiery impulses of a persecuting spirit. No! liberty, and order, and industry, and religion, were to be planted by other hands and reared by other influences. Who brought them from the British islands? To Virginia—the associates of De la Ware, less distinguished by rank than virtue, of Southampton, the friend of Shakspeare, who, almost before a hut was thrown up to shelter them, hastened to write back to the friends they had left beyond the ocean, that they "doubted not God would raise their state, and build up his church in that excellent clime" to which they were come. To Maryland—the followers of the mild and liberal and enlightened Calvert, whose charge and solicitude to "protect them in their rights and liberties" was so early and constant, as to elicit from them the spontaneous "testimony of their gratitude," and the voluntary gift, for the public uses of the colony, of the largest subsidy their means could furnish. To Massachusetts—the noble band whose "very genius always led them to oppose," as the arbitrary Strafford angrily exclaimed, the domination of power, whether in church or state. To Rhode Island—the companions of Roger Williams, who established, as the fundamental principle of the social compact, that the will of the majority was supreme in the government of civil things, and the conscience was to be ruled by God alone. To Pennsylvania—the people whom, as Cromwell declared, neither gifts, honors, offices, nor places could win; the spirits who, far in advance of their times, already held, with the illustrious founder of their new community, that general education should be provided for; that poverty, not dishonest, should never be punished by imprisonment, nor offences against property, by death; and who, in the land where feudal inequality was recognized as an indispensable condition of society, if not an actual benefit and blessing, publicly proclaimed that it was contrary "to the appointment of the Great Governor of the world," that "nineteen parts of the land should feed the appetites of the twentieth." To New-Jersey—the little band who had scarcely made their first settlement, when they published a solemn declaration, recognizing absolute freedom of religious opinion; the vote by ballot; universal suffrage; the unqualified duty of the representative to obey the instructions of the electors; the choice of justices by the people, and judges by the Assembly for limited terms; the trial by jury, to whom the judges were only to be assistants; no imprisonment for debt; the protection of the Indian; and the education of the orphan at the public expense.

And who were they, that, from elsewhere than the British isles, sought with eager sails, in the solitudes beyond the ocean, the promises that their hearts yearned for, but could not find in old, and enlightened, and self-satisfied Europe? Who were they, that, with wives and children, came hastening from the cliffs of Switzerland, the vine-clad hills of France, the teeming valleys of the Rhine, the level plains of Holland, and even the bleak

shores of the Baltic and the Northern Sea? Lowly, indeed, they might oft-times have been in this world's eye, and poor in this world's goods; but they were men who, with few lights to illumine, and few guides to lead or strengthen them—beneath the frowning turrets of lordly castles, and circled by the meshes of feudal customs, and surrounded by the all-pervading influences of a faith cemented by time and power, had yet felt and nursed in their hearts, the greatest of truths and rights, alike civil and religious; coveting to attain, and to enjoy them, and willing to sacrifice for them, if need be, home, and home's associations, and life itself. Children, were they, of those who, "on the Alpine mountains cold, kept pure the truth of God," and amid their fastnesses preserved, from surrounding and universal monarchy, the form and substance of democracy—who, under the banners of Gustavus, broke through the ramparts of feudal despotism—who, in the bold teachings of Luther, Zuinglius, and Calvin, hailed the vindication of the rights of conscience—who, amid marshes and lowlands, successfully protected commercial freedom, and popular sovereignty, and religious liberty, against the banded power and chivalry of Spain, in her most powerful day—and whom the proudest of Bourbon kings could indeed drive from their homesteads and their workshops, but not from their devotion to liberty and their God. These were the men who were to found and form for themselves institutions of society and government, in a world where all the future was open to them, uncontrolled and untrammelled by a vestige of the past.

That duty, not more for themselves, than the ages and people that were to follow them, these wandering and despised apostles of a truer social faith performed, with simple and fearless earnestness, in their wilderness beyond the ocean; while the power and genius of the civilized world, from which they came, were thinking as little of their doctrines and their actions, as the tenants of Roman palaces, and the teachers of Grecian schools, had thought, sixteen centuries before, of the divine lessons which Providence had selected the wandering fishermen and artizans of Palestine to proclaim. While men, whose names are still hardly rescued from oblivion, by grateful research, and are never blazoned on fame's escutcheon, were establishing as the very basis of their fellowship the principles and truths which intelligence, and reason, and wisdom, and Christian benevolence should alike have united to cherish and extend—how many spirits still foremost in the world's regard—"lights of the church and guardians of the laws"—were enlisted to suppress, to pervert, or to destroy them! Bacon, brightest of his age and country in acknowledged genius, was seeking to uphold, against the feelings and efforts of the times, tribunals of justice in form and practice the most odious, or aiming to check the struggling principles of representative government, by influences secret, systematic and corrupt. Coke, chief minister and interpreter of the laws, was claiming for the monarch the right to dispense with them at his will. Laud, the head of a church founded in revolt against ecclesiastical intolerance, was engaged in ceaseless efforts to restore it in more than pristine vigour. Cromwell, raised to power and to lofty fame by vindicating a people's rights, was degrading his great trust into the stale offices of a military despot. Clarendon, who had started in the race of patriotism side by side with Hambden, was sacrificing the last remnants of his country's freedom and honor to the most worthless and profligate of her kings. In France, the faint but cheering lights of popular control in civil government and wise tolerance in religion, were crushed as they broke forth, by the proud feet of Richelieu, of Mazarin, and of Louis; and democracy was driven even from the citadel which she appeared to have secured, when Barnvelt perished on the scaffold, and Grotius was a wandering exile, and all the virtues of Dewitt failed to rescue him from his bloody fate. It seemed as if, in the Old World, the dark spirit of bygone ages could not be exorcised—that if the germ of social freedom and human right was planted it could not grow; or, if it grew, old weeds must choke it or storms uproot it there; and that they only "had chosen the good part that could not be taken from them," who, full of devotion and of faith in their glorious mission, sought in the New World the only true spot whereon to build institutions which were to spring

from and to protect the real welfare and freedom of man.

And how was that part performed? Did they follow in the footsteps of other times? Was their reason seduced by the precedents, or dazzled by the fame of past republics? Did they seek to found their governments on the crude dictation of some fanciful lawgiver—some Numa or Lycurgus? Did their freedom trace back its source to lawless bands, such as peopled Rome's seven hills, or issued from German forests, or wandered over Scandinavian seas? Did their social rights appeal, for their sanction, to the barbarous laws or usages, which they could search out amid the records of scarcely-lettered Saxon kings? Not so. First in the history of mankind, they formed a government on actual and solemn compact, canvassed and acceded to by the governed; they established mutual freedom by mutual acknowledgment of individual equality; they recognized and secured the inherent rights of all by according to each the forbearance and protection of the rest. They met together, almost beneath the branches of the aboriginal forest, to discuss, man to man, and to decide in free debate, upon the government they would submit to, the freedom they would exercise, and the rights they would require to be conceded and secured. Divided into communities of sufficient extent for enlarged and vigorous municipal control, the continent of North America presented to the world, when the eighteenth century opened upon it, twelve organized governments, thus founded by compact among a population amounting to half a million of souls, planted there, almost entirely, within the century that had passed. There, an actual political equality was established, such as was before almost or quite unknown in the history of human civilization. There, in the free discussions that all men indulged, few were found so fanciful as to hold the ideas of monarchy, or nobility, or primogeniture, or tithes, or exclusive privilege based upon antiquated custom, to be necessary elements of society or government. There, the greatest happiness—not of the greatest, but of the whole number—was the object whose attainment had been honestly sought, in the anxious deliberations, not of the favored few, but of every one whose welfare, property or life, was to be involved in the decision. The first great era of social and political improvement was accomplished. From the recesses of time the selected theatre was disclosed; the foundations of the work were successfully laid; its preservation and progress were left to depend on the energy and fidelity of those whom they were to benefit, and to whom they were intrusted.

And what was its progress? In the Old World, the eighteenth century exhibited the onward march of institutions there existing, as intelligence, and civilization, and wealth, and population were augmented. The same influence, through the same period, upon the institutions of the New World, was to test their success and to prove their benefit, by its effect on the people they controled, and in the judgment of enlightened reason and unbiased philanthropy.

Largely increased burdens of intolerable taxation, imposed by avowed despotism, or by oligarchies the most selfish, assuming the guise of popular representatives; increased degradation and impoverishment of the masses for the interest of the few; dogged adherence to antiquated usage, to religious intolerance, even to ferocious legislation; blind and infatuated contempt, by the rulers, for the people whom they plundered; regions, distant and at hand, with which no just cause of quarrel existed, acquired by fraud, or seized, divided, or despoiled by force; wars almost perpetual among states bordering on each other; and alliances, secured only by treaties, whose faith was kept no longer than interest or fear prevented its violation. Was not this the onward march?—were not these the fruits of European institutions throughout the eighteenth century? Do not the annals of every powerful nation of Europe —of Britain, France, Spain, Prussia, Austria and Russia—prove that they were? Against this fatal operation of such institutions, was not all the increase of intelligence, of science, moral and political, of the useful and social arts, powerless to prevent such lamentable results? The eloquence of wise men could not arrest them, nor the efforts of the patriotic; and if checked for a season, it was only by violent and convulsive throes that oppression could not but at last produce.

Who "turns not with pleasure from

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this barren waste"—barren of those fruits, that the progress of man's freedom, and the development of man's social welfare, should have so largely quickened into life—to watch the silent and contemned, but glorious march of institutions, of whose existence the mighty monarchs of these kingdoms scarcely knew, and of whose hastening influence and power their statesmen little dreamed? Had they gone backward in beneficent development? Had they gained nothing by time, and the advancing intelligence of the age? Few in numbers, when contrasted with the powers who claimed paramount sovereignty over them; hemmed in by bonds from which that sovereignty would not extricate them, and which their weakness did not yet enable them to break; controlled in their industry and their action, often in their liberty, by the selfishness of colonial subjection; troubled by the perpetual jobbings and schemes of adventurers, in search of office, from abroad, or the intrigues of selfishness or ambition at home; even sometimes themselves naturally doubtful of results, where trial was yet wanting to fortify reason; nay, not resisting nor able to resist, in all emergencies, for they were men, the undue action of prejudices and passions—the people of America were not without obstacles, chiefly extraneous indeed, but not entirely so, to obstruct or retard their great experiment. But they faltered not. Their noble scheme was faithfully carried out. As numbers increased and years rolled on, the impress of the Old World faded more and more away; and when three-fourths of a century had given permanence and strength to each community, and their half a million had swelled with miraculous increase to three millions of people, their social and political condition—the honest work of their own unaided efforts, resulting not less from what they had rejected, than what they had adopted—was that of men who were free to exert their native energies, who had thrown off the trammels of blind custom or obedience, who had profited by the lights of reason and improvement, who had won for themselves as much of prosperity and success as could attend the toilsome labors they voluntarily essayed, and who were well prepared for the great trial they could not but foresee, when their faith in the truth and benefit of all they had done, was to be tested by the perils through which they were to defend it. With them, successive years had contributed to equalize, more and more, the burdens, the rights, and the position of the citizen; to secure his practical control in the institutions that affected his industry and his welfare; to cherish religion, to soften punishment, to check extravagance, and to cultivate peace. But something had they accomplished of which the influence on their own and on man's destiny was yet infinitely greater; in which hope, not too ardent, already foresees unnumbered blessings as time shall roll onward—the blessings to spring from a common and wide extended fellowship, such as the world has not known before; parent of common prosperity and of universal peace.

To form "one general government," by which "the circumstances of the whole might be better known, and the good of the whole better provided for, and the colonies learn to consider themselves not so many independent states, but as members of the same body;" and yet so guarded as "not to interfere with the constitution and government of the particular colonies, who were to be left to their own laws," was an object early started in more than one of them. But the people held back from the experiment. "They thought there was too much of prerogative in it." They feared the power of the mother-country by means of it. They remembered her projects, more than once attempted, to concentrate their resources in aid of her military schemes, perhaps to accomplish some insidious system of general control. Such a union they did indeed feel to be accordant with their interests; that it would wisely develop, and extend to wider purposes and nobler ends, the institutions they were forming. But they knew, too, that the day for its accomplishment was not yet come. They desired to wait until, in the fulness of time, those institutions, redeemed from all external domination, should protect and be protected by those, and none but those, who cherished the principles on which they rested, as the only true basis of just human government.

With what devoted courage, in an-

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ticipation of that era, they pledged, and freely offered, life, and fortune, and honour, to maintain in entire integrity, their existing institutions; by what sacrifices, and after what years of peril, chequered with wonderful and providential success, they succeeded, not in this only, but in making sure, alike in substance and in form, the independence of every State, their familiar annals proudly exhibit. They exhibit, too, the cheering circumstance, that it was their first act, as soon as this great end of these achievements was attained, to revise, by their own direct and careful agency, and in each community, the work inherited from their forefathers; and, as freemen, and on the basis of freedom and sovereignty, and inherent and original right, to re-establish, even more broadly than before, their principles of social and political government. This done, they were prepared, with one voice—with hearts swelling with more than love of country, with fraternal love—with a wise forecast, looking to the only mode by which those great purposes they had all, by similar paths, been so long seeking, could be maintained, when population should increase and empire extend—they were prepared, now that the time was come, to bind together the people and the States—not by treaties, which adjust the balance of rival interests, or the dangers of contiguous power, possessing no sanction but selfishness or fear, no arbiter but the sword; not by mere confederacies, the imperfect league of jealous states; but by a compact of social and political brotherhood, giving to the sovereignties and the people a common guaranty of protection, however widely time and social energy might extend them; a common nationality, increasing as they should spread; a common patriotism, augmenting the zeal of every good citizen for the welfare and integrity of the whole, by their beneficent influences on the part to which he might more especially belong.

Thus was accomplished, as the eighteenth century hastened to its close, the second of those great eras, by which, in the New World, the progress and destiny of the human race were to be distinguished. At the beginning, the people, few in numbers, had been scattered along its ocean shore. They had planted themselves there, in confidence, indeed, of the present, but more so in the promises of the future; in reliance that what an anxious search for truth, and for common welfare, and for security to man's inherent rights seemed to lead them to, however opposed by asserted theories, or old custom, or distrust in all that was untried or new, ought to and must needs prevail. If the rest of the civilized world, then, deigned to think of them, it was as far off enthusiasts, pursuing transitory schemes, that time would soon obliterate; and never dreaming that they could be its rivals. At the end of the same century, their population had increased twelvefold, placing them the sixth among the nations of Christendom; their ploughs had furrowed fertile prairies a thousand miles from the Atlantic coast; nature had proffered to their industrious enterprize plenty more abundant than Amalthea poured from her fabled horn; no principles of genuine liberty, or of contracted obligation, or of regard to the common welfare, had been impaired in the easy days of their prosperity and peace; in war, its necessary burdens had been cheerfully borne by their citizens; when it ceased, their triumphant soldiers had laid aside their arms without an aspiration of selfish ambition; the union of their States had proved to be as successful in operation as providential in design; and they entered upon the third era of their great experiment, not only with institutions uninjured, but more perfect, and with the power to carry onward all the objects of their glorious mission.

Nor have they in this passing era been without their trials. Foreign nations from beyond the seas, the most haughty, powerful and assuming, at last jealous and awakened, have sought at one time by insidious appeals, to divide them, and control or guide their policy; at another to drive them, by that reasoning which despots love, from rights belonging on every just principle of social and international law to their citizens and their commerce; and again, in days scarcely passed, to thwart by secret and splenetic interference, and from motives of interested or gratuitous rivalry, the efforts of communities, free as themselves, to join in that sacred compact of fraternal union

which will extend over their own continent the bonds of common fellowship, and guard more surely against arts hostile to their peace. At home, in the selfishness of individual schemes; in the rivalries of party, the struggles of ambition, and the conflicts of local interests; in the necessary connexions of commerce and intercourse with the policy, practices and events of the Old World; in the recurrence and often the adherence to its maxims and experience, and deference to its authority; there have not been wanting domestic troubles in which the eye of the distrustful observer has seemed to discover serious elements of danger. But whether difficulties have arisen from abroad or at home, they have been ripples raised by fleeting winds, never changing or retarding the course of the mighty current. True to their great mission, and with a steady devotion to its purposes, progress and results, each trial, springing from causes foreign and domestic, has been thus far encountered by that calm confidence in it, which is the pervading spirit of the American people; each adverse effort, direct or indirect, secret or open, has been successfully repelled; and while, in their onward march, every element of social welfare dependent on the just principles of society and government has been cherished, they have learned and taught the lesson, that in pursuing their own chosen course, they can and will vindicate it from aggression, and are able to punish those who impede its progress.

Is there one then who can look back upon the past, and trace the successive steps that mark his country's career, who does not see that the fates of the future are committed to her children; that it is they who must guard in their purity the principles upon which this great fabric of human happiness has been built; that it is they who must protect it from all assaults; that it is they who are to open more and more widely its spreading portals, and gather, as time rolls onward, successive nations beneath its protecting shade? Is there one who is willing to shrink from his post in this great duty; to forego his share in this great privilege; to abandon that noblest of experiments for the social welfare of mankind, for which Heaven seems to have reserved his country and his race; to refuse to encounter, if needs be, as his fathers did, and like them to crush all who intermeddle with it? Is there one who does not hope for—nay, does not foresee—as the result of what they accomplished and what their children so far have preserved, that the future is to extend to all the people of the American continent, if true to their trust, institutions based upon the light of reason and truth, upon the benefits and inherent and equal rights of all men, and upon that fraternal bond of union which alone can give promise of universal peace?

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# MONTHLY FINANCIAL AND COMMERCIAL ARTICLE.

In our last we endeavored briefly to set forth those indications of the soundness of business, throughout the commercial world, evinced in the progress of the general trade. That is to say, the consumption of the necessaries of life by the mass of the people, in all countries, has, during the past year, been greater than ever before, not only in actual quantity, but in proportion per head, of the whole inhabitants; as an indication of this state of affairs, we may observe, that the revenue from the indirect taxes of all the countries of Europe, more particularly those of the great German Zollverein, whose population is some 30,000,000 of souls; and also Belgium and France, have greatly increased. In England, where the consumption of raw material, and produce may be taken, not only as an indication of the improved condition of the English people, but also of those distant markets which England supplies, the quantities imported have considerably increased, as may be seen in the following table of quantities, entered for consumption during the first nine months of several years:

IMPORTS INTO GREAT BRITAIN, JAN. 5, TO OCT. 10.

| | Raw Silk. lbs. | Wool. lbs. | Flax. cwt. | Sugar. cwt. | Coffee. cwt. | Tobacco. lbs. | Tea. lbs. | Rice. cwt. |
|---|---|---|---|---|---|---|---|---|
| 1841 | 2,310,485 | 41,465,712 | 1,071,709 | 3,976,392 | 32,903,640 | 16,693,460 | 8,980,655 | 243,276 |
| 1842 | 2,991,906 | 33,880,563 | 878,364 | 3,834,128 | 29,159,955 | 16,962,407 | 19,987,319 | 244,366 |
| 1843 | 2,380,310 | 36,955,730 | 1,100,066 | 3,998,184 | 29,355,893 | 17,963,874 | 23,451,018 | 284,378 |
| 1844 | 2,968,283 | 52,077,611 | 1,365,805 | 3,559,717 | 31,243,202 | 18,162,672 | 27,792,052 | 255 859 |
| 1845 | 2,850,598 | 57,308,477 | 1,049,112 | 4,413,682 | 32,166,932 | 19,146,687 | 36,825,461 | 342,924 |

These figures show a complete recovery from the depression of a few years since, and evince a much enhanced employment for the people, as well as the consequent improvement in their ability to buy imported produce. Much of this improvement is due to the great modification which took place in the English tariff of 1842, and again in March, 1845. The removal of those "protective" burdens that most obstructed the progress of business, served to give it a new impulse. In no article is this more clearly apparent, than in that of sugar. The duty on this article was reduced in March last, from 24s. to 14s., and the monthly progress of consumption, has been as follows:

CONSUMPTION OF SUGAR IN THE UNITED KINGDOM.

| | 1840. cwt. | 1843. cwt. | 1844. cwt. | 1845. cwt. |
|---|---|---|---|---|
| First three months, | 978,353 | 972,570 | 913,856 | 980,676 |
| April, | 316,440 | 311,716 | 268,389 | 515,727 |
| May, | 354,329 | 380,462 | 417,253 | 504,530 |
| June, | 401,797 | 325,137 | 432,255 | 476,864 |
| July, | 312,526 | 325,292 | 446,337 | 446,408 |
| August, | 300,264 | 344,656 | 383,209 | 458,956 |
| September, | 321,137 | 439,763 | 444,093 | 505,762 |

In the month of April, of the present year, the deliveries for consumption, under the reduced duties, were double those of the corresponding month last year. So large a delivery was regarded with some distrust, as rather the result of the purchases of shopmen in anticipation of consumption, than of the actual demand of individual customers. This operated to some extent; yet the deliveries for August, were larger than of the corresponding month last year.



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Since then, however, the deliveries have again increased, showing that the extent of the enhanced consumption had not been overrated by the purchases of the retailers, under the first reduction of the tariff. This is a matter of extreme interest at this time, inasmuch as that it proves, incontestably, the operation of oppressive duties, in depriving the people, of not only comforts, but necessaries; and that when government does not interfere with the pursuits of commerce and trade, the people obtain a greater share of the comforts of life for the same amount of labor, and therefore are more happy, and their trade more prosperous. The system of internal free trade, which exists in Germany, as a result of the Customs' Union, is yearly producing a greater consumption of both goods and produce, and in all parts of Europe, the removal of governmental restrictions, of one kind or another, is producing, to a greater or less extent, the same desirable results. The United States, on the other hand, which should show the greatest advancement in prosperity, have, under the weight of the present tariff, rather receded than otherwise during the past year. The imports for the year, ending June 30, 1845, as compared with previous years, have been as follows:

IMPORTS INTO THE UNITED STATES.

| | 1841. | 1842. | 1843. | 1844. | 1845. |
|---|---|---|---|---|---|
| Specie | 4,988,633 | 4,087,016 | 22,820,334 | 5,830,420 | 4,070,262 |
| Free goods | 61,031,098 | 26,540,470 | 13,267,259 | 18,396,452 | 18,077,598 |
| Specific duty goods | 27,315,804 | 20,325,526 | 12,494,340 | 31,352,863 | 34,914,862 |
| Ad valorem " | 34,610,642 | 49,200,085 | 16,684,875 | 52,315,291 | 60,191,862 |
| Total Imports | 127,746,177 | 100,162,097 | 64,753,709 | 108,435,035 | 117,254,564 |

EXPORTS.

| | | | | | |
|---|---|---|---|---|---|
| Specie | 7,287,846 | 3,642,785 | 1,412,919 | 5,270,809 | 7,762,049 |
| Free goods | 3,953,054 | 1,195,299 | 1,683,206 | 2,251,560 | 2,413,050 |
| Ad valorem | 2,136,522 | 2,842,762 | 1,889,257 | 1.706,206 | 2,107,292 |
| Specific | 2,091,650 | 2,041,692 | 1,567,215 | 2,255,302 | 3,064,439 |
| Total | 15.469,081 | 11,721,588 | 6,552,607 | 11,484,867 | 15,346,830 |
| Domestic | 103,637,232 | 91,799,242 | 77,686,353 | 99,531,773 | 68455,230 |
| " Coin | 2,746,486 | 1,170,752 | 107,429 | 183,405 | 814,446 |
| Total | $121,851,799 | 104,691,534 | 84,346,480 | 111,200,046 | 114,646,606 |

These are the values, in the imperfect manner in which they are arrived at from the custom-house returns, and they show an excess over last year. It may be remarked, that this apparent excess arises rather from prices than quantities; because, although the table gives an increase of $3,600,000 in the import of those articles paying specific duties, or fixed duties upon certain quantities, yet we find that a considerable diminution in the amount of those duties has taken place, as follows:

UNITED STATES CUSTOM REVENUE.

| | 1843 | | 1844 | | 1845. | |
|---|---|---|---|---|---|---|
| | Am't | Pr. ct. | Am't | Pr. ct. | Am't | Pr. ct. |
| Ad valorem | 4,153,686 | 24.89 | 14,449,348 | 27.62 | 13,692.966 | 23.57 |
| Specific | 6,390,449 | 51.15 | 14,521,208 | 46.34 | 13,311,085 | 41.30 |
| Total | 16,544,135 | 36.13 | 28,980,558 | 34.64 | 27,004,051 | 30.10 |
| Dut'ble import | 29,172,215 | | 83,668,157 | | 90,307,814 | |

The amount of specific duties has declined $1,321,000, or nearly 10 per ct.; and this is expressive of the decline in the aggregate quantities imported of those goods paying specific duties.—The United States present, therefore,

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the singular spectacle of being almost the only retrogading nation;—that is to say, the only one where the people have enjoyed only a diminished quantity of the proceeds of the general industry; and this has resulted not from any want of industry or enterprise on the part of her people, or any failure of the crops, or of internal disturbance, but almost entirely through the arbitrary action of government, in endeavoring to force industry into a direction other than that which the means, enterprise, and general inclination choose to give it.

This general and increasing ability of the people of all countries, to consume the products of industry, constitutes a broad basis for a most healthy trade; yet, several causes, mostly political, have operated to create mistrust at the sources of enterprizes, and to paralyze financial affairs, as well as many branches of business. A cause, common to the United States and England, has been the war cloud which arose in the West, and which, momentarily assuming a threatening aspect, served to make large operators pause in their enterprize, and capitalists to show a more reserved disposition until the course of events became more marked. This circumstance has operated to a far greater extent in the United States than in England, to check the natural flow of commerce. The United States have a large amount of their promises outstanding in England, which in the event of a war would, to a great extent, be sent here for sale. The government would require large loans to carry on the government, as well as for warlike purposes, because its sole means of revenue in time of peace, the customs, would be subverted by war. The sea-board would also, in all probability, be subjected to severe losses, and the demand from these three causes would make a fearful difference in the value of securities, notwithstanding that the cessation of commerce would necessarily throw into other channels a large capital now engaged in that pursuit. In England, these causes all operate to a less extent. The approach of a war would cause capital to go home to England, whence in time of peace it is disposed to emigrate for more profitable investment than it there finds. It has been estimated, that the military resources of that government are such as to enable her to carry on a vigorous war with this without increasing her peace expenditure, or materially increasing her debt, and, moreover, small fears of invasion are there entertained. Under these circumstances, opinion leads to the apprehension of a far greater fluctuation in values, here, consequent upon a war, than in England; hence a greater degree of sensitiveness is manifest upon the bare possibility of such an event. Two other causes, in England, have greatly tended to assist the evil influence of war fears—these are, the position of the rail-road deposites, and the state of the harvest, with all its political commotion. In the United States, the opposition of the banks and political partizans to the independence of the treasury of the federal government, and the natural pause in the import trade, consequent upon the expected reduction of the present onerous tariff, aided by a little speculation in breadstuffs, growing out of the want of a just appreciation of the real extent of the deficit in the English and Irish harvests, have all tended to interfere with the otherwise prosperous state of affairs. The government regulations, in relation to rail-roads in England required, that a certain instalment, £2 per cent. should be deposited with the government by the 30th of November last, prior to the application to parliament, to authorize the construction. It is estimated from the best sources, that the amount thus paid into local banks, on account of these roads, amounts to near £20,000-000, a most incredible sum, and to pay this sum, in money, into the hands of the chancery accountant, as the law requires, prior to the 30th of February, is manifestly impossible, inasmuch as that it amounts to the whole outstanding issues of the Bank of England. It has been proposed to the government to allow of the transfer by each local depository, of commercial bills to the Bank of England, and that institution to notify the government that it is prepared with the funds. This, the government has refused, and it is supposed with the view of quashing all the proceedings hitherto had on behalf of the new rail-roads, on the ground of their non-compliance with the letter of the law. The uncertain position of so

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great a volume of money, to be paid in a short time, naturally produces uneasiness on the part of those who yet remember the disastrous effects of the West India loan of the government in 1835. That was a loan for £15,228,966 to indemnify the West India planters for the slaves emancipated. We have alluded to this, because the amount of money now to be paid to the government is equally large, the payments are to be completed in less time, and the apprehensions that the operation engenders in the public mind has a great effect upon the disposition of capitalists to lend, and consequently affects the market to a very considerable extent.

The kind of panic which has been created in relation to the crops, has had the effect of checking the operations of dealers, in anticipation of a diminished consumption of goods, which, it is supposed, will result from the alleged scarcity of food. A great deal of the panic created in relation to the crops has been the effect of the efforts of the opposition, united with the anti-corn law league, to overthrow the existing corn laws and the ministry—one or both.

The panic, so produced, seemed not only to check the operations of trade, but to produce a disposition to hoard gold. This latter feature has evinced itself in the continued diminution of the coin in the Bank, notwithstanding that the exchanges continue in favour of England—gold being dearer in London than either at Paris or Hamburg. The progress of the Bank movement has been as follows :

BANK OF ENGLAND.

| | July 12. | Aug. 30. | Sept. 20. | Oct. 11. | Oct. 18. | Nov. 22 |
|---|---|---|---|---|---|---|
| Circulation..... | 22,694,570 | 22,109,221 | 21,490,659 | 21,031,220 | 22,251,445 | 20,959,565 |
| Public deposits... | 3,456,089 | 5,830,300 | 8,222,109 | 8,782,975 | 4,488,419 | 7,363,158 |
| Private " .. | 11,356,519 | 8,571,257 | 8,110,787 | 8,474,856 | 9,835.509 | 9.024.220 |
| Securities,..... | 25,082,565 | 24,507,381 | 26,545,621 | 28,482,600 | 27,398,170 | 28.656,253 |
| Bullion..... | 16,196,286 | 15,592,292 | 14,798,230 | 14,580,654 | 14,190,265 | 13,559,501 |

The decrease of coin is, from the highest point, some £2,636,785, and it has not gone out of the country. The securities of the institution have also considerably increased—keeping pace with the advancing rate of interest.—The indisposition to lend, on the part of private capitalists, has driven a greater quantity of paper upon the Bank of England. The same causes that prevent capitalists from lending, also conspire to prevent dealers and merchants from embarking in new enterprises.—These causes are temporary in their nature, and will leave the markets in an exceedingly sound state when they shall have departed.

In the U. States, the markets are suffering now for the effects of the revolution of 1840. Under the previous administration, a system of federal finance was adopted on sound principles, disconnecting the operation of the Treasury from the movements of banks and the schemes of speculators. The compromise tariff was then in operation, under the implied pledge of the abandonment of the principle of "protection for protection," beyond what might arise incidentally from *maximum* duties of 20 per cent. Such a rate of duty was supposed ample to supply the wants of a government economically administered, without admitting of the accumulation of a surplus; and that therefore the collection of the revenues in the constitutional currency, would not only place the Treasury above all dependence upon banks, and the risk of loss through their mismanagement, but that a regular and constant demand for specie, to pass through the federal Treasury into the hands of the people, would prevent those dangerous accumulations of specie in bank vaults, which stimulates their unhealthy action, and result in wide-spread disaster to the people. The law was consequently passed July, 1840. Unfortunately, in that year the accumulated distress of past speculation was upon the country; the plethora of bank paper had been withdrawn, and falling prices, and ruined value attesting the subsidance of an unnatural speculation, yet involved the mass of the people in that distress which overwhelmed the speculators, and an army of bankrupts clamored for release from their obligations; others sought, by a new inflation, to recover a fictitious value for property they wished to sell. These, uniting with the whole

herd of borrowers, effected a revolution, of which the solitary remains are now a most onerous tariff, a public debt of $17,000,000, on which 6 per cent. interest is paid, of which the Treasury contains, or owns, $10,000,000, loaned to speculators, banks, and brokers, without interest.

In March, 1841, when the late administration came into power, the debt of the federal government was then $6.910,669, consisting chiefly of Treasury notes, floating in the operations of exchange; and all redeemable within the year, at the pleasure of the government. This description of debt was, of all others, best adapted to the exigencies of the Treasury. Because, when, from a revulsion of trade, caused by the breaking down of the bank currency, or other events, the government revenues fell off, they could be paid out into circulation, and absorbed in the exchanges; and when trade recovered so far as to restore the revenues, they would be returned, and the debt extinguished. Such a revulsion in trade produced the necessity for the Treasury notes. The revenues in the year 1840, from duties on merchandize, were $13,496,834, only, at that time, as seen by the above table of imposts. Nearly one half of the goods imported were free of duty. Mr. Woodbury, then Secretary of the Treasury, proposed to lay a duty of not over 20 per cent. on those articles, except tea and coffee, an operation which would, with the general recovery of trade, restore the revenues. The first act of the extra session of Congress, in the summer of 1841, was to borrow money on a stock debt, redeemable only at the end of a term of years, at the same time the duties were imposed on all articles before free, and raised to 20 per cent. on articles that before paid less than that. The effect of this, was to contract a permanent debt, and to make a temporary debt a permanent one; at the moment that means were taken, which, aided by the recovery of trade, would restore the revenues, and permit the extinguishment of the debt. The consequence has been, that the government has been paying upwards of $1,000,000 interest, on a public debt redeemable only in 20 years, while the revenues accumulated to the extent of $13,000,000 in the Treasury; and the accumulation has averaged $10,000,000 for more than two years. This money has been loaned to banks without interest; and in their hands has been the basis of loans to speculators, and of a considerable derangement of the currency. That is to say, the federal government has actually been paying $600,000 per annum interest for money that the banks have been using to their own advantage. This state of affairs has been highly injurious to the mercantile interest, because the receiving banks have rigidly demanded, in specie, the balances which the payment of the duties created in their favor against all other banks. The effect has been, whenever the customs have been large in any one month, to draw specie into the vaults of the government bank, and thus to force a curtailment of their mercantile loans on the institutions in general, and, also, to enhance the ability of the pet bank to loan to speculators, and to avail itself of the high rate of interest resulting from the contraction its own movements had compelled the other banks to adopt. Alternate revulsions and speculations have attended this state of affairs. The independent treasury is now to be restored, and the connection between banks and the government finances, to be discontinued. This measure naturally calls forth the most strenuous opposition of those who profit by the present state of affairs, and this evinces itself in a rigid curtailment of loans in those quarters where the greatest distress will be created by it, and by so doing promote the unpopularity of the independent treasury as far as in their power lies. Happily, however, the power of the banks is far less now than in former years, when the late national bank for the same cause made war upon the government in the same manner. The amount of capital seeking investment, in the hands of private individuals, is far greater now than formerly. During the past year there has been paid off, by the federal and state governments, more than $10,000,000 of stock debt, by far the largest portion of which remains for investment here, in the hands of those who received it. Pennsylvania has paid during the year $2,000,000 of interest, and her stock has become permanently active. Michigan has renewed the payment of interest on her

acknowledged debt. Illinois has paid, in specie, a 1½ mill tax towards the interest on the state debt; and Indiana is about following the example of Illinois in that particular. These are circumstances which not only add to the means of capitalists, but are calculated so far to restore confidence among foreign capitalists as to lead to an extended employment of capital on this side of the Atlantic when present war-fears shall have been allayed. These fears have operated alike upon domestic and foreign private lenders to cause them to hold up, and thus give effect to the struggles of the banks against the sub-treasury law. Money has, in consequence, advanced in some cases to over one per cent. per month. This state of affairs is of its nature temporary. The constant maturity of paper, at a time when the disposition to embark in new enterprises is not great, is daily lessening the demand for money, and must, therefore, of itself soon produce a superabundance.

The operation of the Independent Treasury, in connection, as is proposed, with a branch mint in New-York city, will, in the highest degree, favor a regular and abundant supply of money for commercial purposes, if not for speculation. Without a mint in New-York, the operation of the specie feature of the law is practically impossible. The largest importation of specie into the country is at the port of New-York; and there being here no means of coining it, it remains in the bank vaults, and they issue their promises based upon it. If the government demand specie for its dues, it must be drawn from the banks in the shape of foreign coins of all descriptions. This money, at the legal rates, may satisfy the demands of the government; but when the government attempts to pay it into circulation the people will take it reluctantly. Spanish pistoles, Portuguese doubloons, Indian mohurs, and English sovereigns are coins with the nature and value of which they for the most part are unacquainted. If, however, the treasury vault is connected with a branch mint, American new and sound coins may be paid out, and all classes of people will eagerly receive them. The first influence of such an operation will be to give effect to the gold bill of 1834, the object of which was to keep coin in the country; as, however, the law regulating the coinage is of but little use, unless the coinage takes place, a mint in New-York city, where most of the specie arrives in the country, is a necessary adjunct to that law. So provided, a difference of at least 1½ per ct. will be produced in the exchanges in favor of keeping the coin in the country; and by affording a plentiful supply of coin, ready for circulation, the treasury will be to the banks of the city what the Bank of England is to the non-issuing banks of London, viz., the furnisher of the currency with which their business is conducted. The active demand for specie thus created by the government will affect the local currency healthily, because it checks the exorbitant issues of those small country banks, the profits of which are derived from the discount on their notes in New-York and other centres of business. It will also act as a powerful antidote to the excessive import of goods on credit, under the modifications of the tariff, which, it is hoped, are about to take place. One of the worst effects of a fluctuating paper currency, is that, by artificially raising prices, it prevents exports. This has, to some extent, occurred during the last few months in relation to flour. A considerable foreign demand sprung up on the strength of the news from England; but the exaggerated accounts arising from political causes, excited hopes here that *any* price could be obtained for flour. Instead, therefore, of selling, as orders came from England, dealers held, by the aid of bank facilities, until the price rose from $4 50 to $7 25. The effect was, that out of very large receipts only 274,274 bbls. of flour were exported from Sept. 1st to Dec. 26th. This involved a fall to $5 50, at which rate English buyers again entered the market. This illustrates in some degree the general effect of bank facilities, which, at the same time, promote large imports on credit, and the consequence is revulsion. A low tariff, with the operation of the Independent Treasury, is eminently calculated to promote the import of all that is actually wanted in the country, and cause the export of United States produce in payment, by which means the general welfare of the whole country is improved *ad infinitum*.

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# NOTICES OF NEW BOOKS.

*Sketches of Modern Literature and Literary Men*, (being a Gallery of Literary Portraits,) by GEORGE GILFILLAN. Reprinted, entire, from the London edition. 2 vols. (bound in one.) New-York, D. Appleton & Co. In paper, 75 cts.—cloth, $1 00.

This book contains sketches of Jeffrey, Godwin, Hazlitt, Robert Hall, Shelley, Chalmers, Carlyle, De Quincey, John Foster, Wilson, Edward Irving, Walter Savage Landor, Campbell, Brougham, Coleridge, Emerson, Wordsworth, Pollock, Charles Lamb, Allan Cunningham, Ebenezer Elliott, Keats, Macaulay, Thos. Aird, Southey, and Lockhart.

The author writes with spirit and vigor, and presents the reader with animated pictures of the literary character of the persons whom he has selected for the subjects of his critical analysis. His sketches will be read with interest and gratification by those, who have a taste for literary criticism, and who desire to make themselves acquainted with the qualities of mind of the particular individuals in question. And who is not curious to understand and appreciate the intellectual merits of such men as Jeffrey and Chalmers, of Brougham and Macaulay?

Still, there is one capital error, which pervades the work. The author says in his preface, that 'the men he has selected are the leading lights,—the *decora et tutamina* of their age.' Mr. Gilfillan has, it will be perceived, therefore, very peculiar ideas of what 'the age' is, seeing no 'lights' in it out of the English language, and having his mind filled with the image of a class of writers, many of whom are nothing more than minor essayists, and second rate poets, to the exclusion of those men who really constitute the great lights of their age. Indeed, at the close of the book, when taking a retrospect of what he terms his 'Gallery of Contemporary Genius,' he begins to have misgivings as to the propriety of the ambitious elevation he has been giving to some very ordinary writers even in the English language, and to concede that Byron and Scott are men of genius, as well as Keats and Lamb. In the body of the work, however, he speaks of Wordsworth, Southey and Keats, as '*the leading stars* in the bright host of our literary heaven,' (vol. i., p. 17,) and of Emerson, as the greatest of all the minds of America, (vol. ii., p. 329.)

If we bear in mind, then, that Mr. Gilfillan's definition of 'greatness and genius' excludes all the eminent names in science and in art, in government, in diplomacy and in war, in parliamentary and forensic eloquence, and active life generally, and that his definition of 'literature excludes history and philosophy as well as all other classes of extended composition,—in a word, if we take up this book in the simple purpose of reading critiques on the writings of a certain number of persons, chiefly essayists and minor poets, and if, while reading these critiques, we remember the author's peculiar notions of greatness, and his limited conception of what the age is, and of what literature is,—with these reservations, we shall be prepared to derive pleasure and instruction from sketches of such eminent men as Jeffrey, Brougham, or Macaulay, and seem to be willing to know something of persons no more known than Thomas Aird.

Mr. Gilfillan professes to be 'aware that he may be accused of exaggeration and extravagance;' but he so often recurs to the idea, that the very persons whom he sketches are the peculiar and 'more illustrious luminaries' of our time, that his error is a much greater one than mere exaggeration or extravagance. It implies utter confusion of mind to suppose that Belles Lettres constitute the highest walk of intellect, and in essay writing or poetry, to propose a standard of greatness which shall make of Lamb or Keats the *decora et tutamina* of the modern world. Indeed, whilst literature itself has loftier paths of distinction than those of mere Belles Lettres, there is still a loftier path of intellect than any which literature alone affords; and that is *intellect in action*; for as a great writer has well said, words are but the sons of earth, while things are the daughters of heaven.

In fact, Mr. Gilfillan has undertaken for the '*dii minorum gentium*' of cotemporaneous English literature, and especially for the secondary Scottish writers, that which Lord Brougham has done, in a series of sketches of the same class, for the truly high divinities of the intellectual Olympus.

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*The Vigil of Faith, and Other Poems.* By CHARLES FENNO HOFFMAN. Fourth Edition. New-York, Harper & Brothers, 1845.

The contents of this neat little volume are familiar to the lovers of poetry; and it cannot fail to prove highly acceptable at this festival season. "The Vigil of Faith" is a thoroughly American story—a wild, metaphysical tale of Indian revenge, told in graceful and spirited verse. It abounds in touches of description, affording vivid pictures of woodland and river, sky and mountain, as they exist in the picturesque region where the Hudson takes its rise. This is a species of writing in which Mr. Hoffman is recognized as remarkably felicitous. His pictures are drawn directly from nature, with a bold and feeling pen-

cil. "Eros and Anteros," is a sweet and melodious collection of love poems, in which the phases of love and passion are drawn with great feeling and beauty. The remainder of the poems are miscellaneous. There is a native impulse in Mr. Hoffman's muse, a heartiness of purpose, and a cheering vivacity, which commends him to the favor of all tasteful readers. His range of poetic experience may be limited, but he has had the good sense to write from genuine emotion, and therefore his effusions have the unfading charm of reality.

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WILEY & PUTNAM'S LIBRARY OF CHOICE READING, No. XXXIV. XXXV. *The Life of Conde*, by LORD MAHON, 2 vols.

Lord Mahon is a historical writer of a class which used to be more commonly met with than it now is, and which is always agreeable. He is not a mere book man, compiling in his closet, and describing from afar, and with indistinct vision, men and events, whereof he has no means of judging by his personal experience. Historians of this description are in their way instructive and useful. But it is refreshing now and then to encounter an author, like Mahon, who writes as a well-informed man of the world *speaks*, without parade of learning, and without systematic philosophising as it were of set purpose, but with the keen observation, pointed remark, and true philosophy, of one who is himself personally conversant with life, and who can rightly appreciate the past, by studying in it that play of the human passions which is the same in every age. It is this, and the nature of the subject, which give interest to the life of Conde.

The life of Conde brings before us the times and the men of one of the most brilliant periods in the annals of France. Not Conde himself, only, but Cardinal Richelieu, Louis XIII., Anne of Austria, Cardinal Mazarin, Louis XIV., Turenne, and all the heroes and heroines of the Fronde, with the stirring incidents of the close of the reign of Louis XIII., and the commencement of that of Louis XIV.,—all these pass in rapid succession before the reader, in the pages of Lord Mahon. But the prominent figures, of course, are, those of the Prince and Princess of Conde.

Louis, first prince of Conde, was brother of Anthony de Bourbon, King of Navarre, whose son, Henry IV., brought the French crown into the family of Bourbon. The fourth in descent of the Condes, Louis de Bourbon, is the hero of Lord Mahon's work. This Prince, called in his youth Duc d'Enghien, was educated by his father, in the same way Louis Phillippe has educated his sons in our days, at a public College, where he had to gain his way by hard study, as if he had been the son of a peasant, instead of the first Prince of the Blood. He possessed, undoubtedly, like many others of his family, a strong head and a bold heart, to which, with these traits as the starting point of the man, was added every thing which training could do to make him a statesman and a soldier. His military qualities, however, chiefly distinguished him; and, by his genius in the art of war, he rose at once, in his first campaign, as commander, and at the age of twenty-two, to the reputation of the best (or one of the best) of the generals of Europe. This was the campaign of the battle of Rocroy, in which the Spanish infantry lost their character of invincibility, it is true, but without tarnishing their reputation, since they fought and died in their ranks where they stood with no more thought of breaking or of flight, than if it were a holiday parade. Conde continued to distinguish himself in Germany, in Flanders, in Catalonia, and again in Flanders, during the four successive years. Afterwards, loaded as he was with honors by Mazarin and the Regent Anne of Austria, nevertheless proceeded to intrigue with the Frondeurs, in consequence of which, he and his brother, the Prince de Conte, and the Duc de Longueville, husband of his sister, were arrested by the Court and imprisoned in the Castle of Vincennes. There ensued a civil war, between the partisans of the Court and those of Conde, headed by the Princess, and by the Ducs de Bouillon and de la Rochefoucauld, which, after many vicissitudes, first of the liberation of Conde, and the flight of Mazarin, then of the restoration of Mazarin, and the flight of Conde, ended in the latter quitting France, and entering the service of Spain against his native country. Here he continued until the conclusion of the Treaties of the Pyrenees, when he was allowed to return to France. After this, he lived in comparative tranquillity and retirement, for many years, chiefly at Chantilly, the embellishment of which constituted his chief occupation and amusement.

Thus far, we can see in the public career of Conde, the marked features of a brave soldier, an able general, a rapacious courtier, a rebellious subject, and a traitorous citizen. We have now to contemplate him in his domestic relations, and then to add, the traits of a selfish and bad man.

Conde, when Duc d'Enghien, and only nineteen years of age, was married by his father, and against his own wishes, to Claire Clemence de Maille, niece of Cardinal Richelieu. This lady was then a pretty child, only thirteen years of age, whose character, of course, was not yet developed. Conde treated her with great indifference, in the early years of the marriage, devoting the intervals of his campaign to making love to almost any body that came to hand, except his wife. When Conde was arrested and imprisoned by the Court, the Princess

was at Chantilly with her only child, a little boy, called Duc d'Enghien. Neglected as the young Princess had always been by her husband, and held, hitherto, of no account by any one, and free from the habits of gallantry, which gave fame, or at least notoriety, to her sister-in-law the Duchesse de Longueville, and other ladies of the Court,—the world was not prepared for the greatness of spirit, and other striking and beautiful qualities, which the Princess of Conde displayed in this emergency, and which place her high in the list of the truly eminent women of France. She placed herself at the head of the party of the Princes, and in the civil war which ensued, performed with consummate grace and ability the functions of a partisan leader, with all the good qualities, and none of the bad ones, of a true heroine of civil war. With all this, she never gained the affection of her husband, and so little his gratitude, indeed, that, at a later period, towards the tranquil close of his life, he availed himself of a false pretext to shut her up in his house at Chateauroux, where she remained a close prisoner, until the time of her death, a period of twenty years, for the malice of Conde pursued this great lady even on his death-bed, since the last favor he asked of Louis XIV. was, that she should never cease to be detained in close prison at Chateauroux.

We heartily recommend this entertaining book, as uniting all the liveliness of the old memoir-writing with the research and accuracy of modern historical composition.

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*The Pilgrim's Progress*, with a life of John Bunyan. By ROBERT SOUTHEY, Esq., LL.D. 1 vol. 12mo. Harper & Brothers, N. Y.

The numerous editions in our day of Bunyan's amazing work, are one of the happiest signs of the times in the literary world. All that art can do in illustration, or literary genius in elucidation, has been honorably, and, as it proves, gainfully devoted, to the setting forth of new editions of this majestic composition. We cannot withhold terms even so exalted, in reference to a book like this. It is one which will co-exist with the language of man, and will be regarded with increasing interest and reverence in future generations, as a monument of human genius, and an exhibition of divine instruction to an unlettered human mind. Bunyan has slowly won his way into the honorable and proud circle of literary notice. For generations he has been loved and read in the cottages of the poor, and the closets of the pious. Now it is at last discovered, that there is genius there, which is an honour to his nation, as well as piety and truth which has long been a comfort and blessing to the church. That a man so jealous of his own reputation, and so conscious of his own standing as Dr. Southey, should feel honored, and hope for increase of fame, in editing the work, and preparing a biography of "the Bedford Tinker," is one of the most remarkable proofs, how completely he had already worked his own path to favorable notice, and gained an eminence which asked for no aid from any other source. The stirring power of Bunyan's genius, Southey could well appreciate. But the deep mines of his religious emotions and his "travellings in the way of godliness," we think this biographer hardly understood, and was not able adequately to appreciate or display. The American publishers have brought out the work in good taste.

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*The Oath, a Divine Ordinance, and an Element of the Social Constitution; its origin, nature, ends, efficacy, lawfulness, obligations, interpretations, form and abuses.* By D. X. JUNKIN, A. M., Pastor of the Presbyterian Church, Greenwich, N. J. New-York, Wiley & Putnam, 1845.

In this neat volume, which has been the expansion of a discourse originally prepared for his own pulpit, the author has discussed at some length the source and nature of the Oath. He regards it as an appointment of God, the result of Divine revelation, and as involving an act of Divine worship. He defends, at much length, the use of this form of attestation under the gospel, against the objections of the Quakers and others. He supposes the civil government, the Church, and the family, competent to administer it; but questions the right of voluntary societies so to do. As to its obligations, especially when administered by the latter class of organizations, he expresses boldly strong opinions. The ordinary form of the administration by kissing the gospels, he opposes as an idolatrous relic of earlier superstitions, and as giving to the mere page and type of the scripture, undue honor. He would therefore, as many Protestant divines have done before him, prefer that it should be made, by an immediate appeal, as it were, to the Deity, the hand being uplifted to heaven: and he wishes, as all thoughtful men must do, that more of solemnity and less of indecent haste accompanied its general administration. He seems to regard perjury as on the increase; and holds language with regard to the views of the Roman Catholic communion, respecting the obligation of oaths, which will be to them abundantly offensive.

The work is not without indications of acuteness and research. It is comprehensive and systematic. Indeed, the latter trait is perhaps redundant, and the syste-

matic forms of reasoning are perhaps made too prominent, until the skeleton protrudes from beneath the flesh that should clothe, and mainly conceal it. Some of his conclusions may appear unwarranted, even to those who sympathize in most of his principles. It is dedicated in terms of warm and reverent admiration to Chancellor Frelinghuysen.

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*Lady Mary; or Not of the World.* By the Rev. CHARLES B. TAYLOR, M. A. New-York, Stanford & Swords, 1845.

Some of the earlier publications of the Rev. Mr. Taylor, have acquired much favor in his own country, and as reprinted in this. The very effective tract on Temperance, "The Fool's Pence," is his. Belonging to the evangelical section of the Established Church of England, he has in this tale, one of much quiet beauty, presented his views of the mode in which Christians of affluence and refinement, and high in station, should fulfil the apostolic precept, and while *in* the world, not be *of* it. He claims to present under imaginary persons, real character. The narrative is gracefully written, and without bitterness; although evidently intended to bear against Romanism, and the movement that commenced with the Oxford Tracts for the Times. The wife and mother, as delineated in Lady Mary, who gives title to the book, is a portraiture of rare excellence.

He is, of course, the advocate of Missions. It may be of interest to some who question the wisdom of the expenditures made in the cause of evangelization, to read an extract from the work, which will show the set-off with which the apologists of Missions meet the accusation of lavish and wanton profusion. The passage also groups together some facts we do not remember to have seen elsewhere noticed.

"I am not at all astonished, (said the Bishop,) *Self-denial may form a vast fund for the cause of God*, as it has been well said by a brother Bishop. It is a frightful fact, (he added) to reflect upon the enormous sums that are yearly squandered by professed Christian, in this country, in what no one can hesitate to term low and debasing pursuits. To say nothing of the cost of an opera box for the season, which is often three hundred pounds, the salary of a French cook, which has in more than one instance, amounted to five hundred, the receipts of an Italian singer, which during one season were at least fourteen thousand pounds—just think of the sums that are lost and won upon a race-course. Think, again, of one gambling house alone, namely, Crockford's, costing nearly one hundred thousand pounds, and that the receipts of its proprietor in one year have been reckoned to amount to the same sum; while the money lost annually in all the gaming houses of London, has been calculated to be £7,225,000. It is said, indeed, that in one night nearly one million was lost at Crockford's. And I may just add to all this, that the mere duties on spirits and tobacco in the year 1834, amounted to £11,614,829."—pp. 191, 192.

It is instructive; and to be impartial, it is indispensable that we thus see the opposite aspects, which, to the men of Missions, many of the every-day and unquestioned expenditures of the men of pleasure assume.

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*The Philosophy of Mystery.* By WALTER COOPER DENDY. Harper & Brothers, New-York.

The title of this book is itself a kind of mystery; for it very obscurely indicates the subject-matter, which is, to explain all those things in the morbid action of the human mind and nervous system of a strange and marvellous, or as it is often termed, a supernatural character and relation. Thus, the philosophy of ghost-stories, spectres, and spectral illusions, second-sight, and other phantasies of the brain, illusions of art, demonology, dreams, nightmare, somnambulism, imitative monomania, trances, mesmerism, spells and charms, fairy mythology, and the whole class of mental delusions and illusions, are passed in review, and subjected to the test of science and reason. It abounds in interesting facts, stories and illustrations, narrated and discussed in a style of great purity and elegance, and may be read to much advantage and instruction.

We doubt whether the author has judged wisely in throwing his matter into the form of dialogue between imaginary characters. This method of philosophising by dialogue has, to be sure, illustrious examples in ancient and modern times; but although Plato and Cicero gave us the names of living men in their writings of this class, they have failed to communicate any great degree of dramatic vivacity to their dialogues, still their speakers, and especially those of Cicero, discuss, ably and fully, the opposite sides of each question.

Mr. Dendy's book is too compact, and embraces in small compass too great a diversity of topics and facts, to admit of the same degree of development. Hence, his Evelyn and Astrophel, his Ida and Castaly, are rather tedious personages, who stand in the way somewhat, and impair the general value of a work which is otherwise extremely well written, and full of entertainment and instruction.

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*Father Ripa's Residence at the Court of Pekin.* Translated by F. PRANDI, New York. *The Rhine*, by VICTOR HUGO. New-York, Wiley & Putnam, 1845.

These neat volumes form the third, fourth, and fifth volumes of Wiley & Putnam's Foreign Library. Public attention has recently been called to China, and a new interest manifested in the manners

and history of that country. The lectures recently delivered on the subject were fully attended, and no little curiosity is felt to know what our late minister has to say on the same theme. The appearance of Father Ripa's book is, therefore, very timely. He is well known to travellers as the founder of the Mission school at Naples—an institution which attracts the visits of all intelligent philanthropists, not less than Pompeii and the Museo Borbonico. Few Europeans have enjoyed such facilities in China as Father Ripa. He was nineteen years at the court of Pekin, and in the service of the Emperor. His memoirs include this period, and an account of the foundation of the colleges for the education of the young Chinese at Naples.

The Rhine, by Victor Hugo, will be generally perused both for the sake of the subject and the author. It is an unaffected and spirited narrative. Although the scenes are familiar to all readers of modern literature, they are observed and commented on by the French novelist, in his own peculiar vein, and contain numerous graphic and attractive passages.

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*Abbott's Drawing Cards, for Schools and Families.* New-York. Saxton & Miles, 205 Broadway. 4 series, 50 cents each.

The Messrs. Abbott (Jacob & John S. C.) authors of the Rolla Books and other valuable works for the young, well-known, and widely circulated, have, as the result of their many years experience in teaching—formerly in Boston, and latterly in conducting a large and flourishing young ladies' seminary in New-York—issued a new and attractive series of Cards for teaching drawing. These Cards embrace Elementary, Outline, Foliage, and Cottage series, and for the good taste with which they are designed, and the smallness of their compass, and the moderate price at which they are afforded, will prove in public and private schools, and in families, more valuable than any thing that has yet been published in this branch of education. They proceed step by step from the simplest principles to the more complicated groupings, while in every sketch the authors seem to have had an eye both to the *pleasure* and *interest* of the learner. Each series comprises thirty-two cards, amounting in the set to 128. They are accompanied by a small pamphlet of directions, *On the Character of the Designs, Materials, Perpendicularity of Lines, Correctness of Proportion, Effect, and on Designing*, the closing paragraph of which we quote:

"By pursuing the study of Drawing on these principles, you readily perceive that it is a highly intellectual art, and that the attainment of it will give a great and a permanent expansion to the imagination, and to the taste, and to all those capacities of the soul, by which beauty is perceived and enjoyed. Drawing is, in fact, the study of beauty; and no one can *really* understand and appreciate the beauty which the beneficent Creator has scattered so profusely around us, in every variety of aspect, without attempting by means of the pencil to reproduce its forms."

The series of Animals and Heads, equally well adapted to young learners, and in some respects, more attractive, are in press. We would specially commend this entire series to the examination of parents and teachers.

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*Poems of Many Years.* By Richard Monckton Milnes. A new edition. Boston, W. D. Ticknor & Co. 1849.

The publications of this house are more like the best specimens of English typographical art than any issued in this country. This is especially true of their editions of Tennyson, Motherwell, Barry Cornwall, &c. To this delightful series of poets we now have added the name of Milnes—a name highly honored in England, both socially and politically. As a poet, Milnes is not calculated to be widely popular. He is too delicate in sentiment, and wise in thought, to strike the universal heart. But not a few will give him a cordial welcome, for the volume before us contains genuine poetry. There is the meditative spirit of Wordsworth in these poems without his baldness. A quiet meaning may often be discovered in the most unpretending stanza; and a remarkably sweet mingling of thought and feeling, shades of tender sentiment, touches of high morality and elegant description, are encountered on almost every page. Our limits do not permit extracts, or we could cite numerous poems to prove the justice of this commendation. At present we can only call attention to this beautiful volume. The same publishers have just issued an elegant reprint of Mrs. Jameson's *Characteristics of Women*—a work too widely known and highly appreciated to need our praise.

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Francis & Co's Cabinet Library of Choice Prose and Poetry.

The example of other publishers in issuing series of books of established merit, has been followed with excellent judgment in the earlier numbers of this library. C. S. Francis and Co. 252 Broadway, are, it will be remembered, the publishers of Mrs. Child's writings, and the first volumes of their Cabinet Library consist of her admirable History of Women, a work long out of print, and one which will be read with great interest by those who first be-

came acquainted with the authoress, through her "Letters from New-York." We regard Mrs. Child, as, in some respects, the first of American female writers. She may be excelled in inventive power, in fiction, and in the fanciful details of verse, but we know of few women, if any on this side of the water, who are so capable of treating a given subject with thoughtful earnestness, and who carries her own reflective and imaginative powers more efficiently into the discussion of whatever topic interests her feelings. This praise is justly hers, whatever we may think of her theories; and we consider the popularity of her writings as among the good signs of the times, for she is a most sincere advocate of the beautiful, the right and the true.

The third and fourth numbers of this series comprise Mrs. Norton's Poems; their re-publication meets a decided want on the part of readers of poetry, as the only previous American edition was exhausted very soon after it appeared.

Mrs. Norton is a lineal child of genius; and the well known circumstances of her life, her remarkable personal beauty, and the charm of unquestionable mental superiority, combine to throw around her name and writings an unusual interest. Her poetry is the very opposite to what is called transcendental. It belongs to the earlier school of Rogers, Campbel and Byron, and aims at the fervent, but intelligible and direct expression of thought and feeling. Mrs. Norton, we believe, was first inspired by sorrow. Her poems relating to her children are touching and beautiful. Her descriptions of nature frequently remind us of Byron, and so does the impassioned feeling that glow in many of her poems of sentiment. There is, indeed, no small degree of reality in her poetry. Some of her sonnets, which are written on the Shaksperean model, are as fine specimens of this species of verse as we have met with. Her last production, the "Child of the Island," of which the present is the only edition ever published in this country, is an elaborate plea for the poor and laboring classes of England—addressed to the young Prince of Wales. It is written in the Spenserian stanza, and abounds in affecting pictures of human suffering, and ardent appeals as well as cogent reasoning for its relief. The work has some rich passages, and is not only creditable to the genius but to the heart of the writer.

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*Montezuma, the Last of the Aztecs.* By Edward Maturin. In two volumes. New-York, Paine & Burgess, 1845.

There is something in the title of these neat volumes, which will touch the romantic chord in many minds. The subject is eminently poetical, and has been made familiar by the chaste and eloquent pen of the historian Prescott, to whom the work is with singular propriety dedicated. Another circumstance which will create a spontaneous interest in Montezuma, is the author's name. He is the son of the Irish novelist whose high-wrought fictions created as much sensation in their day as those of Mrs. Radcliffe, and notwithstanding the subsequent revolutions in taste, still afforded passages indicative of remarkable insight into the passions of the heart. The author of Montezuma has given evidence in this Review, of his taste and scholarship, by the spirited translations of the Spanish ballads which have appeared in our previous numbers. His present effort will essentially add to his reputation. Dr. Bird, of Philadelphia, treated the same theme some years ago, with marked success. Mr. Maturin has, however, written an historical romance, the style of which is more glowing. He has thrown over the career of the Mexican Prince, the warmth of his Irish sympathies. There is frequent spirit in his scenes, careful reference to facts, and no small degree of dramatic interest in their statement. The volumes are issued in the same style as those previously put forth by Paine & Burgess. The same house have also published the second part of Mr. Lester's Artist, Merchant and Statesman. This volume contains additional memoirs of Powers, a sketch of the Vespucci family, and descriptions and reflections in regard to Michael Angelo, Galileo, and the localities and works of art at Florence. A notice of several other valuable works—The Greece of the Greeks, Machiavelli's Prince, &c—from their press, must be deferred for want of space to our next number.

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The Poems of Alfred B. Street. Complete Edition. New-York, Clark & Austin. 1845.

We have before referred with approbation to the style in which the publishers of these Poems have issued other works of a similar kind. The volume now before us is put forth with the same regard to mechanical neatness and beauty, and we trust its sale will reward the enterprise and the genius which gave it birth. Extensive circulation is seldom to be hoped for works which appeal so faintly to the practical spirit of our times and people. Yet did space allow, we should be tempted into a somewhat elaborate argument, to prove that the cordial reception of such books agrees perfectly with genuine utilitarianism. As a people, it is generally conceded that we lack nationality of feeling. Narrow reasoners may think that this spirit is best promoted by absurd sensitiveness to

foreign comments or testy alertness in regard to what is called national honor. We incline to the opinion founded on well-established facts, both of history and human nature, that the best way to make an individual true to his political obligations, is to promote his love of country; and experience shows that this is mainly induced by cherishing high and interesting associations in relation to his native land. Every well-recorded act honorable to the state, every noble deed consecrated by the effective pen of the historian, or illustrated in the glowing page of the novelist, tends wonderfully to such a result. Have not the hearts of the Scotch nurtured a deeper patriotism since Sir Walter cast into the furrows of time his peerless romances? No light part in this elevated mission is accorded the poet. Dante and Petrarch have done much to render Italy beloved. Beranger has given no inadequate expression to those feelings which bind soldier, artisan, and peasant, to the soil of France. Here the bard can draw only upon brief chronicles, but God has arrayed this continent with a sublime and characteristic beauty, that should endear its mountains and streams to the American heart; and whoever ably depicts the natural glory of America, touches a chord, which should yield responses of admiration and loyalty. In this point of view alone, then, we deem the minstrel who ardently sings of forest and sky, river and highland, as eminently worthy of respectful greeting. This merit we confidently claim for the author of these poems. That he is deficient occasionally in high finish—that there is repetition and monotony in his strain—that there are redundant epithets, and a lack of variety in his effusions, we confess, at the outset, is undeniable; and having frankly granted all this to the critics, we feel at liberty to utter his just praise with equal sincerity. Street has an eye for nature in all her moods. He has not roamed the woodlands in vain, nor have the changeful seasons passed him by without leaving vivid and lasting impressions. These his verse records with unusual fidelity and genuine emotion. We have wandered with him on a summer's afternoon, in the neighborhood of his present residence, and stretched ourselves upon the greensward beneath the leafy trees, and can therefore testify that he observes *con amore*, the play of shadows, the twinkle of swaying herbage in the sunshine, and all the phenomena that makes the outward world so rich in meaning to the attentive gaze. He is a true Flemish painter, seizing upon objects in all their versimilitude. As we read him, wild flowers peer up from among brown leaves; the drum of the partridge, the ripple of waters, the flickering of autumn light, the sting of sleety prow, the cry of the panther, the roar of the winds, the melody of birds, and the odor of crushed pine-boughs, are present to our senses. In a foreign land, his poems would transport us at once to home. He is no second-hand limner, content to furnish insipid copies, but draws from reality. His pictures have the freshness of originals. They are graphic, detailed, never untrue, and often vigorous; he is essentially an American poet. His range is limited; but he has had the good sense not to wander from his sphere, candidly acknowledging that the heart of man has not furnished him the food for meditation, which inspires a higher class of poets. He is emphatically an observer. In England we notice that these qualities have been recognized; his "Lost Hunter," was finely illustrated in a recent London periodical—thus affording the best evidence of the picturesque fertility of his muse. Many of his pieces, also, glow with patriotism. His "Grey Forest Eagle" is a noble lyric, full of spirit; his Forest Scenes are minutely, and, at the same time, elaborately true; his Indian legends and descriptions of the seasons, have a native zest which we have rarely encountered. Without the classic elegance of Thomson, he excels him in graphic power. There is nothing metaphysical in his turn of mind, or highly artistic in his style; but there is an honest directness and cordial faithfulness about him, that strikes us as remarkably appropriate and manly. Delicacy, sentiment, ideal enthusiasm, are not his by nature; but clear, bold, genial insight and feeling, he possesses to a rare degree; and on these grounds we welcome his poems, and earnestly advise our readers to peruse them attentively, for they worthily depict the phases of Nature, as she displays herself in this land, in all her solemn magnificence and serene beauty.

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DICK'S GREAT ENGRAVING OF THE LORD'S SUPPER.—The appearance of this superb work, is truly an epoch in the history of the art in America. It took us entirely by surprise—for though we had heard for some time that he was engaged on the ambitious attempt of copying, and emulating Raphael Morghen's great engraving of Leonardo da Vinci's great painting, we little expected to witness a success so splendid as this. Nothing equal to it, nothing approaching it, has ever been produced in this country—nor, indeed, has it been surpassed by any European *burin*. If the original, from which it is copied, has any advantage over it, we have not been able to discover it. As a trophy of national pride, that our country should have produced so magnificent a specimen of the art, independent of its inherent beauty and value, we cordially recommend to every one of our readers having a mantel piece to hang it over, to procure a copy. The price is only $5—a price incredibly low, in view of the useful expensiveness of fine large engravings. The price in London of a proof impression of Morghen's plate is 50 guineas, or $250. The impression, from which the present engraving has been copied, cost $200 in Italy, and an eminent

artist has recently offered $300 for it. It is the property, we believe, of the widow of the late Luman Reed, Esq., and is now in the possession of J. Sturgis, Esq., of this city. The long protracted and minute labor of finishing the plate, has seriously, but we trust not permanently, affected the sight of the artist. Mr. Dick acknowledges with gratitude, much valuable, friendly assistance received from the artists, Durand and Doney. If any of our readers shall feel induced by this recommendation to desire to possess it, by adding $1 to the price of the engraving, and forwarding it to Mr. Dick, (66 Fulton st., New-York,) they can receive it, securely packed, for transmission to any distance. For the further addition of $9, a handsome gilt frame will also be furnished.

## MONTHLY LITERARY BULLETIN.

The APPLETONS, N. Y., have in preparation, the Greek and Latin Books of T. K. Arnold, for Schools and Colleges, revised and corrected, by J. A. Spencer, A. M. These books are among the most popular in use in England, and have attained an extensive circulation in all her public schools, and leading institutions of a higher grade. The first and second Latin Book and Practical Grammar, 1 vol. 12mo—A Practical Introduction to Latin Prose Composition. 1 vol. 12mo.—A first and second Greek Book, with easy exercises, and a Vocabulary, 1 vol. 12mo.; and a Practical Introduction to Greek Prose Composition. 1 vol. 12mo.,—are nearly ready. The 5th volume of the Series—CORNELIUS NEPOS, with Critical Questions and Answers; the 6th—ECLOGÆ OVIDIANÆ; the 7th—A first and second LATIN VERSE BOOK; the 8th—A PRACTICAL INTRODUCTION to Latin Verse Composition, and others will follow. These books are introduced by the American Editor, so far as his labor in revision and correction extends, to illustrate and carry out in the practical details of instruction, the principles of Ollendorf's System, whose works on Learning to Read, Write, and Speak, the German and Italian languages, are now coming rapidly into use. They have also in press, A Speaker for Schools. By Rev. W. Sewell—A History of the later Roman Commonwealths. By Dr. Arnold—and in preparation, Dr. Carpenter's Manual of Human Physiology. The first German Book. By T. K. Arnold—The Horse, in Health and Disease. By Jas. W. Winter; and other works.

This house have just issued several valuable volumes, a notice of which, we are obliged to defer. Among these, are Arnold's History of Rome, 2 vols. 8vo. $5; his Sermons, preached in Rugby School Chapel, 1 vol. 16mo., 75 cts.—The Christmas Holydays in Rome. By Rev. Wm. J. Kip, 1 vol. 12mo.—History of New Netherlands, or New-York under the Dutch. By E. B. O'Callagan. 1 vol. 8vo. pp. 500, $2 50—and a Practical Treatise on Healthy Skin. By E. Wilson, F. R. S—A work well worth perusal. 1 vol. 12mo.

WILEY & PUTNAM have just published several attractive and important works, a notice of which we must also defer—The Letters and Speeches of Oliver Cromwell. By Thomas Carlyle, 1 vol. in 2 parts, 50 cts. each; The Book of Christmas. By Thos. K. Hervey, 1 vol.; Library of Choice Reading, 50 cts.; Handbook for Young Artists and Amateurs in Oil Painting, with a new Critical Vocabulary, 1 vol. 8vo., bound, $1 50—By an American Artist—compiled from the Manual of Bouvier; Hazlitt's Lectures on the English Poets and English Comic Writers, in 2 vols. 12mo., 50 cts. each.

CAREY & HART, Philadelphia, have recently published vol. 5th, of the Modern British Essayists, by Thomas Carlyle—containing 42 Essays, 1 vol. 8vo., pp. 568—the most faithful portrait of the author's genius and character to be found; Elinor Wyllys—a Tale by Amabel Penfeather—edited by Cooper, 2 vols. 18mo.; Theobald, the Fanatic, translated from the German of Heinrich Stilling, 1 vol., 50 cts.

J. W. MOORE, Philadelphia, has issued Travels over the Table Lands and Cordilleras of Mexico, in '43 and '44, with a Description of California, the Cities and Mining Districts of that Republic, and the Biographies of Iturbide and Santa Anna. By Albert M. Gilliam, late Consul to California, 1 vol. 8vo., pp. 456.

W. TAYLOR, 2 Astor House, N. Y., is issuing in Nos. The Modern Standard Drama, edited by Epes Sargent—vol. 1, containing Ion, by Talfourd, and other Tragedies, with Stage Directions, &c., 12mo., in clear, large type, may be had bound.

JOSIAH ADAMS, Brick Church Chapel, N. Y.—The Kings and Queens of England, from William I. to Victoria, illustrated—a neat 12mo. of 160 pages, by a classical scholar, and one well known as a popular author. This work is an excellent accompaniment to the Game of the Kings of England, from the same pen. Mr. Adams has also published, by the same author, one of the most instructive and popular games of the season—The Game of American History.

The Messrs. HARPER & BROTHERS, have just issued the Life of Mozart, including his Correspondence. By E. Holmes, author of A Ramble among the Musicians of Germany, 1 vol. 12mo.; also Aids to English Composition, for Schools and Colleges, by Richard Greene Parker; Practical Astronomer, by Thomas Dick: The Miscellanies of Prescott,—the rich fruits of his leisure hours, 1 vol. 8vo. This house have in progress, some of them nearly ready for publication, the following works:—Mr. Mills's admirable '*System of Logic*,'—of which we gave a highly favorable review in our pages some months since; Count Montholy's Narrative of the Captivity of Napoleon at St. Helena; The Travels of the eccentric Lady Hester Stanhope—Emilia, or Female Influence, by the popular author of 'Two Old Men's Tales'—Mrs. Gore's new novel, entitled 'Peers and Parvenues'—also the Citizen of Prague, translated by Mary Howitt,—all of which will appear simultaneously with the English editions, being printed from the early proof sheets, purchased by the Messrs. H. Dickens' new Christmas book, called 'The Cricket on the Hearth,' will appear immediately after the arrival of the steamer. For their *New Miscellany*, Parrott's 'Ascent of Mount Ararat'—Darwin's Voyage for Naturalists round the World—The Diplomatists of Europe—the Age of Fitt and Fox—Lord Campbell's Lives of the Chancellors—Barrow's Arctic Voyages since 1818—Murchison's Geology of Russia—Ross's Antarctic Voyages of Discovery—and Leigh Hunt's 100 Romances of Life—Remarkable Crimes and Trials, from the German, are forthcoming, &c. They will also soon issue a new series of Elementary Greek and Latin books, under the supervision of Professors McClintock and Crooks, of Dickinson College, based on Ollendorf's System—Sismondi's Literature of the South of Europe—Guizot on the English Revolution—Letters of Royal and Noble Ladies of England—and others. Early next month they will commence their issue of the *Pictorial History* of England.

HOMANS & ELLIS, Broadway, N. Y., and C. TAPPAN, Boston, continue their Musical World, at 25 cts. the No. They have recently issued, The Young Housekeeper's Friend, by Mrs. Cornelius, the widow of the Rev. Dr. Cornelius, late of Andover, Mass. and one of New England's sterling, well-educated women. The work contains receipts in every department of cookery, with remarks on the purchase and keeping of family stores. We have seen no book of the kind, which looks so much to economy and health, both in the preparation of the family table, for all classes, and in the more expensive and richer delicacies.

NEW MUSIC.—The Ethiopian Serenaders, nine Songs and a set of Cotillions, 25 cts.—Fairy Bells, words by Mrs. Norton, 6½ cts.—Love Now, Reply to Mrs. Norton's Love Not, 6½ cts.—The Light of other days has faded—It is better to laugh than to be sighing, 6½ cts. each—6 Songs, from the Opera of the Enchantress, by Balfe, 25 cts.—The Outward Bound, 6½ cents—A set of Quadrilles by John Strauss, 12½ cts.—Four sets of Popular Quadrilles, E. Ferritt & Co., 237 Broadway, N. Y., and Chesnut st., Philadelphia. (See 2d and 3d pages of Cover.)

THE

UNITED STATES MAGAZINE,

AND

DEMOCRATIC REVIEW.

Vol. XVIII. FEBRUARY, 1846. No. XCII.

# STOCK-GAMBLING.

In modern times, among those nations that have arrived at a certain degree of civilization, the art of printing, leading to the developements of credits public and private, has opened a road to the possession of great means, by governments and corporations, as well as by individuals, far shorter and more agreeable to the successful than the old beaten and irksome track of perseverence and industry. It is a means greatly to be deprecated. It is subject to all the chances of a game of hazard, when conducted in good faith, and susceptible of endless varieties of fraud under the guidance of persons destitute of principle, or whose sense of right has become deadened by practice or too long an apprenticeship in the operations by which they seek to enrich themselves at the expense of others, without in any degree rendering an equivalent for the property of which they possess themselves. All the wealth of a nation must necessarily consist of the proceeds of the industry of its inhabitants; and whatever of genuine credit exists must be a representative of some portion of that accumulated property. Whoever becomes possessed of those credits without the rendition of any valuable equivalent, as is the case in gaming, either in cards or stocks, becomes unjustly possessed of that which cost the labor of many persons. Yet, during the last 150 years, a stupendous system of gambling has sprung up, tolerated in all countries, and fraught with the greatest political evils.

This system may be said to have began with the English revolution of 1689, when the government of William discovered, that instead of extracting the whole sum of money wanted by the government from the people by taxes, a loan for a term of years could be had of capitalists, by the annual payment of a rent or interest for its use. At that time, the English debt was £660,000, in the form of annuities, terminable in a certain number of years, or with the life of the annuitant. In a few years, the increase of the debt made this mode of borrowing no longer practicable, and stocks payable in a longer term of years were issued; but the greatest irregularity prevailed in the payment of the interest, and fluctuations in the value of the promises were a necessary consequence. Gradually, however, the system became organized, and since that time, public credits have assumed every shape of which they are capable. They have emanated from authorized and responsible companies, and from governments irresponsible because of their absolute power, and also because of their inability to pay, on all descriptions of security, and on no security. Every variety of issue has been the means of stupendous frauds, and every description of issuer has availed itself of the facility for fraud that the system offers.

The Bank of England was established in 1697, on a capital loaned to the English government, at 8 per cent. per annum interest. The shadows of those

credits issued by the government to the Bank, were then put forth in the form of bank-notes, or promises, to circulate as money, and many disastrous fluctuations attended the first use of this until then untried power. The government, also, urged by necessities growing out of its wars, which have occupied one half the time that has elapsed since the revolution, used its new power of borrowing with an unsparing hand; and in 1711, at the close of a nine years war, it found itself with £9,000,000 of outstanding obligations of various forms, on which it had failed to pay interest, and which were at a heavy discount in consequence. The famous South Sea Joint Stock Company was then projected, chiefly as a means of absorbing, in the payment of its capital, the depreciated government stock afloat. This was perhaps the first great stock bubble; and to it succeeded many others, as the existence of the stocks and the facility for fraud they offered, soon attracted the attention of the speculative and knavish. Several bubble-banks were started and exploded in different parts of the Kingdom, and the opinion gained ground that the "general industry languished for want of paper money." Following out this idea, a Mr. Law imagined that a bank might issue paper money to the amount of the value of all the lands in the country. He proposed his plan to the Scottish Parliament, which, however, rejected it. He then, on going over to France, succeeded in inoculating the Duke of Orleans, then Regent, with the scheme. The finances of France were in a wretched condition, and the idea of issuing money to an indefinite extent was too flattering to be overlooked, and the famous "Mississippi Scheme" was established—a most extravagant project of banking and stock-jobbing, which exhausted all the resources of paper, in all its shapes, and resulted in an explosion which laid a train of evils that powerfully aided in the bringing about of the revolution of 1789-90. The principles on which the scheme was founded were explained by Mr. Law, in a discourse concerning money and trade. This work was pronounced, by M. Thiers, in the French Chambers, on the occasion of re-chartering the Bank of France, as having contained all that is known, even at the present day, of the uses of paper money. The experience of the 100 years that have since elapsed has not sufficed to discover any mode by which what are called the benefits of the credit system may be secured, unmixed with the evils that attend it. The stock-jobbing that attended the Mississippi Scheme convulsed France, and Paris presented the spectacle of a mania that involved all classes, and urged to ruin alike the opulent and the industrious. The distress which followed the inevitable explosion was proportioned to the magnitude of the expansion, and the finances of the government, from their connection with it, were so seriously compromised that they never recovered themselves. The genius of a Colbert, a Turgot, and a Necker served only to stay the ruin that finally burst in revolution.

That revolution itself gave rise to the production of a stock-jobbing scheme more magnificent than any which had gone before it. It was by the issue of an immense amount of national paper-money, made payable in the lands of the clergy confiscated to the uses of the state, to popularize the revolution, and to interest all holders of those securities against the return of the Royal Government. The first issue, in 1790, of this paper, was $250-000,000, and finally increased to the astounding sum of $8,437,535,000, in 1796, when it ceased to have value. These immense emissions, and their continued decline in value, produced jobbing to an incredible extent. Fortunes were realized and lost in a few months. The extent to which jobbing in the funds was then carried, called for the interposition and regulation of the government of France, and many laws were enacted to check the great disorders and manifest evils that grew out of the unbridled gambling at the "Bourse."

When commerce in Europe began to flourish and spread itself over many nations engaged in a reciprocal trade, it became matter of necessity that the leading merchants, ship-masters, capitalists, brokers, insurers, &c., should occasionally meet, to confer and transact business with each other; and Venice had its Rialto, "where merchants most do congregate;" Bruges and Amsterdam had also their "Exchanges;" but the first in France was

at Toulon, in 1549. The second at Rouen, in 1556. That of London was opened in 1566, by Elizabeth in person. An order of Council, in 1724, first gave a legal existence to the Parisian Bourse.

When evidences of public and company debts began to be transferable and assume a marketable shape, they naturally formed, with bills of exchange, an important item of the business transacted on the exchanges of the leading capitals of Europe, and became of sufficient importance to absorb the entire attention of individuals for their sale and transfer. This business grew to great magnitude under the action of the scheme of Law; but nearly again ceased when the complete explosion of that scheme produced so great a horror of paper credits as to banish them from the public markets. The events of the French revolution again called into life the whole array of speculators, and opened a vast field for their operations. The members of the Directory shamelessly and openly engaged in jobbing, and acquired large fortunes by immoral practices, that under such examples became very general. Under the Consulate, when symptoms of returning health were apparent in the state of the public mind, it became necessary to veil the turpitude in which the scandalous fortunes originated. The strong government of the empire, seeking to restore a moral tone to society, as well as social order in the body politic, enacted severe laws against the gambling of the stock exchange, and that shameful means of enriching individuals at the expense of the public, and of good morals, was openly abandoned. The form which speculation for the most part assumed, was to sell the public funds not possessed by the seller, deliverable at a certain time, some days or weeks a-head, and looking for a profit by buying at a price less than that of the contract to deliver it.—These transactions, when undertaken by persons of influence in the government, who can themselves effect the decline they seek, for their own profit, were a palpable fraud at the expense of the public credit; others, sold at a certain price, deliverable within a specified time, either at the option of the buyer or seller. This general principle is susceptible of endless combinations. Another mode was to pay a premium for delivering a certain quantity of stock, at a fixed price, on a specified day; the premium being abandoned unless it suited the payer of it to avail himself of his privilege.

It may be remarked, that the violent fluctuation in prices, caused by the vacillations in the quantity of assignats afloat, pervaded all merchandise, as well as stocks; and as a consequence, this system of gambling was applicable to all commodities, and the civil code contained severe penalties against the practice. With a view further to restrain their proceedings, the stock exchange was, in the year X. of the Republic, brought under the control of the Minister of Finance, and then placed under the immediate inspection of the Prefect of Police, who keeps a register of all transactions of the day, and the price of each. The stock transactions are confined to sixty brokers, or "agens de change," appointed by the minister of finance, and each of them gives security in 125,000f. for the faithful performance of his duties. He is never, directly or indirectly, on any pretext, to be concerned in buying or selling on his own account, and never to divulge the business of his client. These regulations, with many others very stringent in their nature, have in some degree remedied the abuses of the market, but have failed to check gambling to any extent.—The transactions on the Paris Bourse for one year, 1831, reached, according to the official returns, the incredible sum of f4,766,088,989, or $893,641,684—nearly $15,000,000 to each broker. The value of these offices is very great, and they are sometimes bought and sold at prices measured in *hundreds of thousands of dollars.*

During the same period in which the paper issues produced such demoralizing scenes in the French capital, the suspension of the Bank of England and the consequent depreciation of and fluctuations in its value, produced similar scenes, but to a far less extent, in London. The mercantile interest there agreed to receive the inconvertible paper of the Bank as usual, in the way of business, and by so doing, contributed powerfully to the support and steadiness of its value.

In the United States, stock-gambling owes its origin to a train of events similar to those which gave it an impulse in

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France, viz., to the issues of government paper-money during the revolution. The expense of the revolutionary war was about $130,000,000, of which one half was paid by direct taxation during its continuance. The disbursements of the government were mostly in paper issues, known as Continental money; and during the six years, ending with 1781, about $359,000,000 of this paper was put afloat—nearly equal to $100 for each inhabitant. The depreciation was, of course, very great, and the fluctuating value of the money naturally produced jobbing, and laid the foundation for the "Stock Market" in the United States. Tradition informs us that one of the leading Wall-street stock houses of the present day owes its origin to the skill of a stage-driver, in availing himself of the vacillations of continental money to amass a fortune. To gamble in stocks, however, requires the existence of stocks, and with the funding and retirement of the old paper money of the government, and the issues of the old states, there remained in the market but the stock of the federal government, which, from $76,000,000, in 1795, was gradually reduced by payments to $39,135,000, in 1812, including Louisiana 6 per cent. stock. Of bank and company stocks few existed, and the transfers in a year amounted to but a small sum. The war of 1812, with its issues of Treasury notes, and increase of stock loans by the federal government, called into life large stock operations. The amount of debt outstanding at the close of the war was $16,205,101 of treasury notes, and $109,279,000 of stock debt. The treasury notes were depreciated, and centering in New-York, where the business and capital of the country naturally concentrates, gave rise to great jobbing, as did also the stocks of numerous banks that had been called into being under the belief that their presence was necessary to supply the vacancy caused by the dissolution of the old National Bank, in 1811. In 1811, there were 88 banks in the United States, with an aggregate capital of $42,610,601. In 1816, the number reached 208, having a capital of $82,259,590. Nearly all these new banks failed soon after the peace; and in 1817, the new National Bank was established, with a capital of $35,000,000. In 1820, the number of banks was 308, with $137,210,611 of capital. In four years, 60 banks were established in Kentucky, and 20 in Ohio. In the five years from 1815 to 1820, near $40,000,000 of bank capital failed, and $80,000,000 came into operation. The whole country was filled with depreciated paper, and bank stocks of equivocal value. Stock-jobbing, therefore, could not but flourish in such a state of affairs, and the "New-York Stock and Exchange Board" received its constitution in 1820; since which time it has become the scene of the most stupendous gambling operations, unchecked by public opinion, and unbridled by legislative restrictions. It is true, that the legislature of New-York has made attempts, by invalidating gambling or time contracts, to restrain such operations; but the effect seems rather to have been to aggravate than remedy the evil.

The material for stock speculations, from the year 1820 up to 1830, rather decreased than otherwise. The bubble banks that had grown up at the south and west in the few years prior to 1820, were extinguished by the state laws compelling a resumption of specie payments. The currency of the country became comparatively steady, and the national debt annually diminished, and was finally discharged in 1835. About the year 1830, however, the late National Bank began a course of action in relation to the currency that stimulated an immense speculation in stocks, corporate and state. The quantity of stocks created from 1830 up to 1838 may be approximated as follows: Banks in the several states, $100,000,000; Rail-roads, $70,000,000; State stocks, $202,000,000, and City stocks, $30,000,000—making together some $412,000,000 worth of stocks that, to a greater or less extent, passed through the New-York stock market. So vast an amount crowding upon a market of comparatively limited capital, in a few years, could not but produce jobbing—more particularly as that the creation of the stocks was stimulated by the facility of procuring paper credits. The loans of the late National Bank, and the swelling credits of the new institution, afforded, in the hands of speculators, the means of enterprises. The mania seized also upon the mercantile community. Large

sums were diverted from commerce and trade, and productive employments found the greatest difficulty in procuring capital to prosecute their industry; while stock issues absorbed all the active means of the country. The individual speculation in company stocks was kept alive by the facility with which means were obtained from banking institutions; and the extent to which these latter could supply those means was dependent upon that of the foreign exchanges. These, in the full state of the currency which then existed, could be sustained only by the sale of state stocks in the foreign markets; because the import of goods already exceeded the export of industrial products. Hence, it became necessary for the late National Bank to procure state stocks in exchange for its own credits issued here, and make those stocks the means of meeting its own indebtedness maturing abroad; and this necessity gave rise to extreme jobbing. It soon became apparent, however, that the states had issued stocks far in advance of their means, and this discovery at once destroyed their credit abroad and closed the door to future sales—leaving the late National Bank a defaulter for large sums, which could be met only by the hypothecation of some $14,000,000 of the stocks of different states, which it had obtained here, in some cases on its own promises, and in others, as in the case of Michigan, on a credit which it never discharged. Under the spur of this necessity of the Bank of the United States, Pennsylvania increased her debt, from the date of the charter of that institution as a state bank, and after the completion of her public works, $16,396,649, which stock passed into the possession of the bank in exchange for its promises, and was used by it as a basis of its foreign credits.

The same necessity which compelled the United States Bank in its decline to lean upon the credits of the States, also forced other banks and individual houses to become *buyers* of stock in order to *borrow* money. In almost all the states of the Union the spirit of speculation that had long pervaded the markets among individuals rose through corporations, and seized upon legislatures. The most extravagant enterprizes in the construction of public works were projected, and called for daily, increasing issues of stocks. These sought the markets by many channels, and the temptation to jobbing they afforded to their negotiators, soon became a plea for repudiation on the part of the issuers. The state of Illinois furnished an example illustrative of the whole. That state subscribed $1,000,000 to the capital of the state bank of Illinois, of which also $328,530 was raised by individuals. The largest of these latter holders were operators in Wall-street, and as such had charge of the $1,000,000 of bonds issued by the state for the bank capital. Those bonds were not sold for account of the state, but were parted with by the parties holding them, that is, put upon the market, producing a great fall of price in a restricted market, and this act of selling facilitated the replacing of them whenever the state should call for them, which was eventually done, and gave rise to a new difficulty. In 1840 the state issued 804 bonds, of $1,000 each, for the purpose of procuring the means of paying the state interest. The quantity of bonds that had been put upon the market, however, made it impossible to negotiate the new ones, and they were sold to a banking house which was to pay in instalments, and was pledged not to hypothecate the bonds. They, however, did so, and failed to make good their instalments to the state, paying but $234,000. These bonds were promptly denounced by the state's agent, and subsequently repudiated by the state. At the next session of the state legislature, the bonds issued to the bank were ordered to be returned and cancelled, thereby withdrawing the state's subscription to the banks. The bonds, however, being parted with could not be returned, and the repudiated bonds, to the extent of $333,000, were bought up at a price of about 22 cents on the dollar, and attempted to be returned to the state in place of the original and legal bank bonds. This was rejected in the legislature by a large vote. Bonds had also been issued by the state to the state bank of Illinois, and met with a similar fate as those of the other bank bonds. Transactions similar to these took place with many other states, to a greater or less extent. Michigan sold $5,000,000 of its bonds to the Morris Canal Company. The bonds were used as securities for the debts of the U. States Bank in Europe, and the state, to this day,

has never got its money, and the bonds not paid for are repudiated. The State of Indiana also sold the Morris Canal Company $1,000,000 of its bonds, on credit, and lost it. Mississippi, Arkansas and Florida all suffered large losses by this system of jobbing, and all of them have repudiated some descriptions of stocks in consequence.

These transactions formed a feature of the stock market at that time, which arose out of the current of events. Stocks were issued far in excess of the demand for permanent investment, by capitalists, and the stocks so issued all passed into the hands of banks and individuals who sought not to lend, but to borrow money on them. This state of affairs soon ceased, the current turned, and the genuine creditors of the state, or those whose original and *bona fide* investments had been ruined by these nefarious operations, sought redress, and in all directions there are attempts to restore credit by making arrangements to pay off debts, and to avoid the creation of new ones. As the prospect of resumption, by delinquent states brightens, these dishonored stocks become absorbed.

A cessation of these extensive and ruinous transactions, involving national dishonor, by no means, however, checks the evil of stock gambling, which has grown to such an extent in the last 15 years. There is, and has been for some years, but little actual demand from capitalists for stock for permanent investment. In the New England States a large capital has been subscribed, probably $33,000,000, for the construction of rail-roads since 1830, but the stock so created rarely comes upon the stock market; the money is paid, and the certificate, generally, held by the original subscriber for its dividends. The chief operations, therefore, that now engage the stock market are, apparently, of a purely speculative and gambling character, and they, not unfrequently, assume the form of the most extensive combinations to defraud, by what is technically called "a *corner*." In fact, were the stock market left to the regular and natural current of events, the large quantities of stock hanging over it, or waiting investment, would leave but little room for speculation, and it is apparently approximating that fixed gambling character which has long degraded the Bourse of Paris, and the modes of gambling in stock there practised have become naturalized here. The principal manner of operating in Paris, is by betting on the price of a stock, on a certain day, that is to say, a sale is made of a certain amount of stock deliverable on a certain day, and the seller pays or receives the difference between the price at which he sells, and the actual market price, on the day that it becomes due, according as that is higher or lower—no stock, and, perhaps, no money being possessed by either party. One, however, exerts himself by rumors, and all the influence he possesses, aided by those similarly interested, to produce a fall in the value of the property of others, in order to win his bet. This is practised to a great extent in the New-York market, with the exception that the stock is actually required to change hands, in order to give it the appearance of an actual transaction. Another mode, which in Paris is regularly systematised, but which is practised to a less extent in New-York, because not recognized by the rules of the Board, is buying or selling a privilege, and this partakes very closely of the nature of betting on the English race-course. It may be illustrated as follows: the usual bets on the course are against what is called an "outsider," or horse but little known, 20 to one. We will call such a one "Dick." A. takes the bet with B., 20 to one in his favor. As the season advances the horse improves, and the bets fall to 10 to one in his favor. A. now bets C. *against* him 10 to one. The horse continues to improve, and the market rises to five to one, which A. again makes with D. *against* him. The position of A. is, now, such, that he must win, whether the horse wins or loses, as follows:

Dick wins.

| | | |
|---|---|---|
| A. receives from B. | $2,000 | |
| A. pays C. | $1,000 | |
| A. pays D. | 500 | |
| | | 1,500 |
| A. gains | | 500 |

Dick loses.

| | | |
|---|---|---|
| A. pays B. | | $100 |
| A. receives from C. | $100 | |
| A. receives from D. | 100 | |
| | | 200 |
| | | $100 |

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This is an extreme case, but illustrates the principle. In applying it to stocks you buy the privilege of receiving stock at a certain price, or not, as you please; as for instance, you pay $100 for the privilege of receiving $10,000, Ohio 6's, on the 1st of March, at 91, or $9,100; as soon as you have made the contract you sell one-half at 90, or $4,500. If, now, the price falls to 80, you buy in at $4,000 the stock you have sold, and relinquish your first contract, forfeiting the $100, by which you realize $400. If the stock rises to *par*, you adhere to the first contract, deliver the half you have sold at $4,500, and sell the other at $5,000, by which you also realize $400.

This combination, although operating well in a fluctuating market, is not carried to so great an extent in the New-York-Market as the buying and selling on time; that is, the stock being deliverable at any day within 30, 60, or 90 days, either at the option of the seller or the buyer, according to contract—the buyer always paying the interest to the seller on the amount of the stock sold from the date of the contract up to the time of the delivery. These contracts being then most practised, were sought to be restrained by an act of the legislature, which makes such contracts illegal, unless the seller has the stock in his possession at the time of the sale. It follows, however, that if a person holds 100 shares of any stock, he may sell it many times over; that is to say, he may sell to 10 or 12, or any number of persons, 100 shares each, and although he may have but 100 shares actually to deliver 1,000, yet, he had the stock when he sold each his 100 shares. The facility which the time contracts offer to speculators with small means, or using the means of others, has been a fruitful cause of the defalcations of bank and company officers, as well as disastrous losses to stockholders, and nearly all these defaulters may be said to have been the victims of the brokers. It is a very obvious principle, that the speculator in stock, as well as in other commodities, should seek to buy cheap and sell dear, yet, from a very singular operation of the mind, well understood by the veteran-broker, the reverse is generally the case; that is to say, the amateur speculator always buys dear and sells cheap. When stocks fluctuate rapidly, the opportunity to make money is tempting, and carried along by the current, as well as by *judicious* advice, the speculator buys often a stock that has already risen considerably under the effect of speculation, expecting it to go higher. What he buys, however, the wary broker has sold, and the stock begins to decline. If the decline is great, he sells under a panic produced, in some measure, by his inability to lose, or on the maturity of the contract he may take up the stock and borrow money of some broker to "carry it." The broker lends the money, and immediately sells the stock, in order to buy it in cheaper, when the borrower wants it. Putting the stock upon the market, aids in a further fall, and the borrower is called upon to pay up the difference, under the threat of selling the stock for his account. It sometimes happens that some worthless canal or other stock will be carried very high in price by parties interested in it, in order that the rapid rise may bring in speculators, and great exertions will be used, and very friendly advice given to persons with money to make a fortune by buying it. When any number are induced to take hold it falls on their hands, and when they express anxiety, they are told that it is a "little reaction in the market," and they had better buy more "to make an average." By this means, the friendly adviser gets rid of an additional quantity, and a little more money is drawn into "the street." It is also the case, that speculators always look for large profits, while the experienced dealer looks only for a small one, and will always realize when a profit can be made. Those controlling large capital seek only to make a handsome interest, and they do so by buying for cash, or for "seller's option," and selling at "buyer's options;" by which is meant, that the seller may deliver the stock when he pleases, at a notice of one day within a specified time, say 30 or 60 days, or the buyer may call for the stock any day at his option. The price of a stock "buyer's option" is generally a little higher than the cash price of the day, and that seller's option a little less. If, therefore, a person buys cash stock and sells it buyer's option for thirty days, his profits are the

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interest of the money for the time that elapses until the stock is called for, and a difference of ¼ or ½ per cent. between the cash price and the time price, which will be equal to 12 per cent. per annum; and a large capital so employed is profitable and safe. If he supposes that a certain stock is to fall in price, he may sell a thousand shares, buyer's option, falling due at different times, and at the same time buy as much "seller's options." If the stock falls, the buyers will not call for the stock, but the sellers will all want to deliver, and the stock so received will be available to deliver when the buyer's contracts mature. If now speculation runs high in any particular stock, and the purchases and sales amount very nearly to the whole available shares, there is danger of "a corner." Those who have the buyer's options may ascertain where the stock is situated, and by combining, ascertain that they can together call in, on a certain day, more stock than is to be had. They combine and give the required notice, and those who are to deliver find that they are "cornered." That is to say, they have contracted to deliver stock which they cannot get. Any price is bid for it, and the stock rises 30, 40, 50, and, in some cases, 200 per cent., and money becomes exceedingly scarce in the stock-market. At such a juncture, all those who have borrowed money on the stock demand it instantly, and in many cases, they find that the lender of the money on it has sold it, and cannot return it. He then is "cornered," and must settle to the demand of the borrower or "be exposed." The settlements are finally made. The "cornered" have bled freely. The stock is all delivered, or settled for, and comes freely out upon the market, showing a decline, perhaps in a few hours, greater than its previous rise.—Of this nature consists nearly all the transactions of the stock market at this time. The large amount of stocks floating upon its surface are agitated by these means to and fro for the advantage of the most skilful with the most means. Where amateurs undertake to mix in the matter, the fluctuations, designed and accidental, with commissions and interest, soon absorb their means.

There is a gambling game called "cut-throat," which consists in the use of a number of balls, marked according to the number of players—say 1 to 10. These balls are kept in a bag by the banker, and a pool is made by each player putting in, say $1. There will then be $10 in the pool. From this the banker takes 50 cents for his fee, and then deals round the balls. He who gets the highest number takes the pool, and it is again made up. It is obvious that, although they each may win occasionally, yet, if they all continue to play, the banker in the end will get all the money round the board. Suppose each player has $20, then will there be $200 round the board. The banker takes 50 cents each pool—consequently 400 games will sweep the whole into his pocket. It is nearly the same with those who speculate in stocks.

The worst of this stock-gambling is the degree of toleration it receives from the public opinion; and not merely the ordinary play at its worse than faro or rouge-et-noir hazards, but those dirty tricks in it, which, in other gaming, would be called cheating, punishable with cropped ears and cowhided skin—and in other business swindling, punishable with penitentiaries and hard labor. This same process of "cornering," above described, for instance, what is it but a conspiracy to defraud and plunder, of the most bare-faced kind? And yet it is unblushingly practised by "gentlemen" in "the best society," pillars of churches, patterns of all the decencies, who exhibit a most virtuous and respectable severity in punishing all the smaller rogueries which come within the jurisdiction of Police Courts and General Sessions. How this crying shame and mischief is to be reached by preventative law, it is not easy to point out. The attempt, by the legislature of New-York, by making all time contracts for the purchase or sale of stock invalid, has effected nothing, but to remove a restraint upon the desperate player.—Either some penal provision, far more stringent, must be resorted to, or the evil must be allowed to run its own course, and work out its own remedy by its own unchecked excess, without any tinkering of unadequate legislation, all contracts being placed on the ordinary footing of legal alligation. In either case, it cannot but be useful to arouse and direct the public attention to the subject—as it has been our desire to do in the present article.

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# PROGRESS IN AMERICA.

OR, A SPEECH IN SONNETS, ON THE RELATIONS BETWEEN GREAT BRITAIN AND THE UNITED STATES.

*Not delivered either in Parliament or Congress.*

BY THE AUTHOR OF "THE YEMASSEE," "LIFE OF MARION," &c.

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## I. LYMPH.

Man wearies of the wonted! 'Tis the drudge
  Alone that shrinks from sweet variety,
And will not from his chimney-corner budge,
  For promise of the best society.
To him—the creature of a stagnant blood—
  All effort is but torture; and Content
Comes to him ever with his daily food,
  Though the wide world with uproar may be rent.
Is Guilt triumphant?—he but shakes his head,
And thanks the Lord, who gives him daily bread;
Is Virtue outraged?—still another shake,
The certain prelude to his juicy steak;
His neighbor's troubles and the world's despite
Do but confirm his daily appetite!

## II. BLOOD.

Thank Heaven! there still are men—how precious few!
  More precious for their scarcity—with whom
This bread and beef alone will never do,
  Make not the life they hunger for, nor stay
The mood that prompts them dare the deadliest doom,
  That Virtue may have right, and Guilt give way!
It is the noble spirit's discontent,
That will not in the ancient fold be pent;
  But breaks away, and pathways, wild and new,
Makes on the shore or seeks along the sea;
This is the spirit, above all, for me;
  Still to the future generations true;
Not to be harnessed at a grandsire's knee,
  But its own master—mastering others too!

## III. PROGRESS THE PURIFIER.

This is the true nobility in blood,
  Established by its manhood! It achieves!
Goes on its mission with meet hardihood,
  And only what it consummates believes.

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'Tis wild, perhaps, at first, and rude of air ;
  But watch the mountain-torrent at its source—
  How foul and turbid, as it leaps with force,
Headlong, to hurry on its strong career—
  Bursting old barriers. Follow, then, its course,
And note the gradual waters, how they clear !
Self-purified, the natural progress still,
  As certain in the mortal as the stream,
Obeys the dictate of superior will,
  That works its moral by eternal scheme !

IV. NATIONAL PROGRESS.

And what are nations, but the gathering streams,
  That gush from base beginnings? Let them flow,
  Destined to gather tribute as they go;
And still expanding to the sun's broad gleams,
  To catch new brightness with increasing length ;
  Thus grace and beauty link themselves to strength,
Until the glorious progress takes a name—
  Like Rome or Albion—which consenting realms,
  Whom fear or favor, love or hate o'erwhelms,
Decree, in song and story, shall be—Fame !
Ours is a rash, rude people, like the rest,
  Just at our wild beginnings—glad to own
  That mountain impulse which must bear us on,
'Till Glory, born of Power, shall make our rule confessed

V. PROGRESS INEVITABLE

And thus we cover Texas ! Thus we spell,
  With deeds, the drowsy nations, as, of yore,
The adventurous Spaniard crack'd th' Atlantic's shell—
  Though not for him to penetrate the core.
The good old Norman stock will do as well,
  Nay, better ; a selected stock of old,
  With blood well-temper'd, resolute and bold ;
Set for a mighty work, the way to pave
  For the wrong'd nations, and, in one great fold,
Unite them, from old tyrannies to save !
We do but follow out our destiny,
  As did the ancient Israelite—and strive,
Unconscious that we work at His decree,
  By Whom alone we triumph as we live !

VI. STEEL-TRAPS AND SPRING-GUNS !

To say that France grows surly, and to show
  That Britain builds new steamers, and looks wroth,
Because 'tis certain we must onward go,
  Is scarcely to prevent us, by my troth!
We cannot help the matter if we would ;
  The race must have expansion—we must grow
Though every forward footstep be withstood,
  And every inch of ground presents its foe !
We have, thank Heaven ! a most prolific brood ;
  Look at the census, if you aim to know—

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And then, the foreign influx, bad and good;
All helps new lands to clear—new seeds to sow;
We must obey our destiny and blood,
Though Europe show her bill, and strike her blow!

### VII. OUR PROGRESS LEGITIMATE.

And 'tis her policy, not less than ours,
That we should have such progress! Can she hope,
With daily growth of all our natural powers,
Here, *on* our soil, *for* our own soil, to cope?
Why clamor in the question, 'whose the right
By conquest or discovery?—what eye,
Briton or Apalachian, had first sight
Of the great wastes that now disputed lie?'
The right depends on the propinquity,
The absolute sympathy of soil and place,
Needful against the foreign enemy,
And for the due expansion of our race;
And this expansion, certain as the light,
Makes the right sure, in progress of the might!

### VIII. NATIONAL ABSORPTION INEVITABLE.

Let the world know that in our hemisphere,
Europe can have no foothold. The design
Of Providence accords it to our line;
And, soon or late, the nations far and near,
Shall all be marshall'd in one grand array
Of linked states; each, with peculiar race,
Sovereign and equal, in its several place,
Harmonious working in one common sway;
Blending in one the might of all, when foes
Assail them from without; yet each, as one,
True to the spot o'er which its banner flows,
And jealous of the birthright, sold to none!
These all-sufficient for themselves must be,
Sufficient, too, for all beyond the sea!

### IX. INTEGRITY OF THE UNION CERTAIN, ON CONDITIONS.

Well! Feuds will disunite us!—This may be,
But Europe gains not in our loss,—for then,
The danger is from one great sovereignty,
Since, it is sure, the links must join again!
The danger, then, is hers no less than ours,
Since it beholds such increase of our powers;
A central strength, beheld from either sea,
The Atlantic and Pacific; that, not vain
The faith that Apalachia then must be,
What Albion has been—ne'er to be again!
Nay, something more than Albion!—with more spread
Of compact empire, limitless and wide;
All soils, all surfaces, by oceans fed,
And thrice her strength in sons, from her own stock beside.

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### X. WHY THE UNITED STATES MUST CONQUER.

To keep us from our conquests, it requires
That we be conquer'd!—Battles may be fought,
And we may lose them oft, as did our sires;
Towns may be burnt, and frigates may be caught
And navies sunk, and armies may be slain;
And these may cool us till—we warm again!
But these are checks, not conquests—to delay,
Not turn us, from the onward destined way!
As well attempt Niagara on the leap,
With all her oceans, plunging o'er the steep,
As hope to stay the torrent which moves on,
Steady, and still increasing as it flows,
Destined to sweep the wastes of Oregon,
And in Canadian wilds to melt their fettering snows.

### XI. WHAT NECESSARY FOR OUR CONQUEST.

To conquer Apalachia, you must take
Firm foothold in her centre!—you must rend
His rifle from the Kentuckian—you must break
Old Hickory's staff that man could never bend—
Must tear us from our hearths—no easy toil
With th' Anglo-Norman nature, which takes root,
And flourishes, where'er it sets its foot!
Must raze the spirit we've planted, from the soil,
Lest, tasting ere they strike, your myrmidons grow
To freemen with the taste; and, all forgot,
Except your tyrannies, turn, with fatal blow,
And make a "Crackskull Common" of the spot
For their own masters!—These achievements done,—
Then, how to keep the foothold you have won!

### XII. COUNSEL AT PARTING.

Take better counsel from an enemy!
Make us your friends! Forego the hope to sway
Or strangle;—let the destiny have way,
Lest it destroy you! Better we should buy,
And barter with you, for our mutual wares,
Than, like great urchins, with more bulk than brains,
Still idly go together by the ears.
Let us avoid these penalties and pains!
Open your harbors to our western grains,
Let our commodities come duty free,
As we shall yours—and be prepared to see
That all the provinces that round us lie,
Are, by the power that every thing ordains,
Decreed to fall at length to our Posterity!

W. G. S

*Woodlands, S. C., January,* 1846

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## "SPURN NOT THE GUILTY!"

BY CAROLINE M. SAWYER.

Scorn not the man whose spirit feels
The curse of guilt upon it rest:
Upon whose brain the hideous seals
Of crime and infamy are prest!
Spurn not the lost one—nor in speech
More cold and withering than despair,
Of stern, relentless vengeance preach—
For he thy lesson will not bear!

'Twill rouse a demon in his heart
Which thou too late wouldst strive to chain,
And bid a thousand furies start
To life, which ne'er may sleep again.
No! better, from her forest lair,
The famished lioness to goad,
Than, in his guilt, remorse, despair,
With watchful threats the Sinner load!

But if a soul thou wouldst redeem,
And lead a lost-one back to God!
Wouldst thou a guardian-angel seem
To one who long in guilt hath trod—
Go kindly to him—take his hand,
With gentlest words, within thine own,
And by his side, a brother, stand
Till thou the demon sin dethrone.

He is a man, and he will yield,
Like snows beneath the torrid ray,
And his strong heart, though fiercely steel'd
Before the breath of love give way;
He had a mother once, and felt
A mother's kiss upon his cheek,
And at her knee at evening knelt
The prayer of innocence to speak!

A mother!—ay! and who shall say,
Tho' sunk, debased, he now may be,
That spirit may not wake to-day,
Which filled him at that mother's knee?
No guilt so utter e'er became
But 'mid it we some good might find,
And virtue, through the deepest shame,
Still feebly lights the darkest mind.

Scorn not the guilty, then, but plead
With him, in kindest, gentlest mood,
And back the lost one thou mayst lead
To God, humanity and good!
Thou art thyself but man, and thou
Art weak, perchance, to fall as he;—
Then mercy to the fallen show,
That mercy may be shown to thee!

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## LAMENT FOR THE OLD YEAR.

BY W. H. C. HOSMER

Down poured the sleet, when ceased to beat
The pulse of the poor Old Year;
And at midnight hour, a voice of power
I woke from my dreams to hear:—
"He lieth low on a couch of snow,"
It shouted in thrilling tones;
"Proud Heir! unmeet is such winding-sheet
For thy father's royal bones."

On his frozen corse, with pitiless force,
The blows of winter fall,
While light feet bound to the viol's sound
In pleasure's glittering hall;
And the crownless head of a monarch dead
Reclines on a snowy bank,
While wine is poured at the festal board
And thy health with plaudits drank.

No bell is tolled for the slumbered old—
No bier with sable hung;
Save the hollow moan of the blast alone,
No "alalulla" sung.
He felt the smart of a broken heart
When the flowers grew pale and died,
And the leafy crown of the oak grew brown,
And tattered its robe of pride.

Go through the storm to the lifeless form
Of thy royal sire, and see
What self, e're long, though young and strong,
Gay Reveller, wilt be!
My warning mark!—round thy body stark
The night-blast, too, shall rave;
*Twelve flaps of the wing of Time, proud King,
Shall waft thee to thy grave!

*January* 1, 1846.

* Referring to the number of months constituting a year.

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# PAPERS OF AN OLD DARTMOOR PRISONER.

EDITED BY NATHANIEL HAWTHORNE.

## CHAPTER III.

VESSEL AND OFFICERS—LIFE ON BOARD A PRIVATEER.

Being now fairly out at sea, I had an opportunity to look around me and survey our motley crew of officers and men. Our vessel I have already described, in language which may seem to partake largely of hyperbole and burlesque; but in all sober earnestness, I believe that a more unsuitable craft, for all purposes of safety or comfort, never swam the water. Our first attempt to go to sea in her, had, as has been related, well-nigh proved fatal to all the crew; and although the alteration of her bottom had added not a little to her capacity of keeping afloat, yet she sat so low in the water, that, when there was anything of a stiff breeze, and a smart sea running, she was, almost the whole time, under water—just emerging, now and then, as a whale occasionally comes up to the surface to blow. Until we had reached the tropical latitudes, we were almost continually submerged, and our decks not being tight, the water was continually leaking in below—even when it did not come down through the hatchway—wetting our bunks or sleeping-places; and our clothes-bags were, much of the time, completely saturated with the salt-water. Our vessel being small, (only about 120 tons burthen,) and remarkably deficient in stowage capacity, we were not allowed to take on board any chests or trunks, but were restricted to a bag, which would hold about a bushel by measure, to keep our clothes in; so that we had no means of securing our few duds, (as the sailors call all articles of clothing,) from the salt-water; they were thus continually reeking with the wet, as was also our bedding. This was our case in the wardroom, and also in the fore-castle, and in the main hold, where the sailors lived. In the cabin, the case was somewhat better; for the Dons who messed there took care to have the decks well caulked, and being further aft, when the vessel pitched bows under, the water would be likely to expend itself in the forecastle and wardroom before it reached the domicil of those potent Seignors, the officers of the cabin.—They were allowed to have chests on board, which, with a covering of tarpaulin, may be made water-tight. I have, many a time, come down from the deck drenched to the skin in water, and turned into my bunk with my reeking clothes on—the bedding completely saturated likewise, and turned out again in the morning, to go through my various duties of the day, as wet as a drowned rat,—and this for days and days consecutively. Notwithstanding the discomfort of our situation, we had many a hearty laugh at each other, when some poor fellow got more than an ordinary ducking, for Jack is a light-hearted animal and kicks care behind him, and contrives to extract fun even out of his own annoyances. Many a hearty laugh have we had at each other, when sitting below around our kid of salt beef, so hard that one might have sharpened his knife on it, and as salt as if the salt-pits of Salina had concentrated all their saline and antiseptic powers upon it, when the companion-hatchway-slide had been slipped back for a minute, to let some tardy messmate dive down to dinner, to have at least a barrel of salt water pour down at his back, floating away our kid of salt junk and potatoes, and driving us against one another in the scramble to regain it. However, we were like the old



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woman's eels, when she was skinning them—'they doesn't mind it, poor creatures, they are used to it.' So was it with us; we minded a wetting as little as does a spaniel.

The cabin, as I have said, is the aftermost apartment on board a vessel; in this resided the captain, the two lieutenants, the doctor and sailing-master. We gentlemen of the wardroom were invited, one at a time, each day to dine with the skipper and his mess; and this was a red letter day in our calendar, for he was a gourmand, and having command of every thing appertaining to the craft, and a first-rate steward to wait upon him and compound his messes, we had always a good dinner when we dined with the captain. The little man would then unlace his dignity and condescend to be facetious. It was, as a matter of course, expected that we should laugh at his jokes, and at least affect to believe his stories.

I have seen it said, somewhere, that every man has two characters, viz., his Sunday character, in which he dresses himself up and appears before the world, and his week-day character, in which he shows himself to those to whose praise or censure he is indifferent. I have often thought of this remark in connection with our captain; for, on the quarter-deck, he was as stately and unbending as the most strenuous stickler for dignity could desire him to be—walking the weather side of the quarter-deck with slow and measured tread, sole "monarch of all he surveyed," and woe to the luckless wight who should be caught napping in duty. He had a hawk's eye to all imperfections and derelictions, and was prompt to reprove and severe to punish. And yet this man, over his glass of wine after dinner, was as playful as a child, ringing his jocund laugh till the very deck resounded with it, telling the most facetious jokes, spinning the most incredible yarns—himself always the hero of his own tales—and exerting all his powers of amusement upon one who, perhaps only a short hour before, had been the object of his most bitter censure or withering rebuke. He was a sailor, and a ripe and good one; had been supercargo and captain in merchant vessels to almost every port where an American flag was ever displayed; had seen much; read much; observed much. and had a happy faculty of communicating what he knew; and if we had only known when to believe him, he would have been a very instructive, as he certainly was a very entertaining companion.

Our first lieutenant was a fine specimen of a man, and of a sailor. He was a native of Marblehead, a town renowned in American history for the sturdy patriotism of its sons. He was a fine, well proportioned, man, of a frame capable of enduring the greatest fatigue, sinewy, and well knit; and his temper and disposition of the greatest placability and equanimity. Yet, there was no weakness about him, he was resolute and bold, would state his orders with clearness and precision, and would insist on their being obeyed promptly and effectually. During my short sea pilgrimage, I observed a wonderful difference in the way in which officers get along with sailors. Some are continually fussing and fidgeting about, making a great show of activity, swearing at this man, and raging at that one, and yet bring very little to pass; for Jack understands the thing well enough, and can play the old soldier when he pleases, making a show of doing something, and yet accomplishing very little. And with an officer of this description, he *will* play the old soldier; and, however well satisfied the officer may be that he is a wonderful smart fellow, Jack will roll his tobacco over in his mouth. give a knowing wink with one of his blinkers, sing out "Aye, aye, sir;" and laugh in his sleeve at the fussy and fidgety dignitary. Now, nothing of this kind belonged to Lieut. D.; he would go calmly to work, surveying every thing with the eye of a seaman, give his orders with dignity and propriety; and they were always obeyed, as the sailors call it, "with a will," for there was not a man on board from the captain to the cook, who had not the utmost confidence in, nnd respect for our lieutenant.

Our second lieutenant was from Newburyport, a little, smart, dark complexioned man, a perfect contrast to our first lieutenant, being one of your fussy, bustling sort. He was, however, a capable officer, a brave man, and a good sailor. He was, generally, pretty well liked by the crew, but not by our captain. These two were al-

most at variance, and the lieutenant exhibited his dislike for the skipper in all the modes he dared; our captain being a man who brooked no indignity from any one under his command. After our capture, and when the skipper had doffed his official character, they got along better together. They, perhaps, thought it best to forego all former dissensions and adopt the policy recommended to his crew, by the skipper of a Marblehead fishing vessel. "My men," said he, "we are bound on a three months' fishing cruise, and for that length of time we have got to put up with each other's company, whether we like it or not—now, it may be that some of you don't like one, and one don't like t'other, but I can tell you there must be no quarreling aboard this schooner; so what I recommend is this, that each one should leave his dislikes behind him, and veer and haul a little, veer and haul a little, grease the spugger and live loving." The spugger is, I believe, an instrument with which the fishermen turn the rashers of pork while being fried. I do not know, whether our captain and lieutenant had ever heard of this advice of the fisherman. They, however, acted upon it, and greased the spugger and lived passably loving.

Our sailing-master was a little bustling man about five feet high, born in Marblehead, and bred as a fisherman, though he had sailed, likewise, in the merchant-service; and had been one or two privateering cruises. He talked the dialect which was peculiar to Marblehead some fifty years since, and by which a Marbleheadman might be distinguished the world over. They have changed all that now, and the dialect remains with but a few antiquated inhabitants, and will soon be entirely extinct. During my privateering days, I saw much of these gallant sons of the ocean, and I found them to be such sterling good fellows, notwithstanding their eccentricities—so full of the milk of human kindness—ever ready to share with those poorer than themselves, and to do a poor fellow a brotherly kindness—that I contracted such a respect for the character of a Marbleheadman, that it sticks to me yet; my heart warms to the brogue whenever I hear it, as the Duke of Argyle's heart warmed to the tartan when he saw it worn by Jeanie Deans.

Our sailing-master was a prompt and efficient officer, and had a very responsible office, for the sailing-master has charge of all the sails, rigging, and every thing appertaining to the stowage of the hold, and is obliged, under the direction of the captain, to sail the craft and to keep the log-book. He had, in our vessel, two mates to assist him. It appears to me to be an absurdity in these days, when the captain and lieutenants of an armed vessel are, or are supposed to be, thoroughbred sailors, to have such officers as a sailing-master and mates. The present system grew up, some centuries ago in England, when there were no regular government vessels of war; but merchant vessels were taken into the service, and soldiers were put on board to do the fighting, the sailing-master being the sailor, captain or commander of the vessel, and the captain and his lieutenants being the commander and officers of the soldiers; this was all very well then, and in fact could not be otherwise, but the practice now is entirely different; and, yet, in the English and American service, the officers are continued. I believe that most naval men are convinced of the necessity of a reform in this particular; and the practice, now, is to take passed midshipmen as masters and mates, so that the office is, in fact, abolished, and yet the name continued. Our sailing-master, when irritated, (and it was not seldom,) would swear all manner of strange oaths, which, when not absolutely shocking, were amusing enough; as his imagination was very prolific in odd conceits for imprecations. And yet, he was very superstitious, believed in ghosts and goblins, in haunted houses and haunted ships, and the smallest doubt of the actual incarnation of Satan, would have been to him rank blasphemy. I used to go on deck sometimes when he had the night-watch and pace the deck with him, and listen to his wonderful stories of the witches of the North Cape, of ghosts which had appeared in various shapes and manners, how one appeared to "Lucky Nick," of Marblehead, and led him a dance, at night, among the stones of the grave-yard; and how old sailors, when they died at sea, turned into Mother Carey's chick-

ens. All this he as firmly believed, as he did his Bible, and was thoroughly convinced, that if any one killed a Mother Carey's chicken, his own life would be the forfeit, and that he would have to go to supply the place of the dead bird. Poor fellow, he, too, has sailed his last voyage, and has gone where his good and bad qualities are entered on the log-book above.

Next comes the doctor. This was not the knight of the fiddle mentioned in our last, for he had become satisfied with his near approach to a watery grave, and had consulted his safety by going into the country, "to seek for patients on dry land."

Our present Physic, as the sailors nickname the doctor, (for "Doctor" is the nautical appellation of the cook,) was a tall, lank, raw-boned man from the interior of New-Hampshire. Where he studied, whether he studied at all, from what college he got his diploma, or whether he had any, I do not know; and I know nothing of his medical or surgical skill. I presume the owners were satisfied on that score, when they engaged him; but, I believe, from some specimens that I saw, that owners were not, generally, very scrupulous as to qualifications. The law required a surgeon, and somebody must go in that capacity, whatever might be his knowledge of physiology, pathology, or therapeutics. Our doctor had but one opportunity to display his science while on board our schooner, and that was, in the operation of phlebotomy. He bled the man well enough; and when he removed the tourniquet from the arm, he applied to the orifice a quid of tobacco fresh from his mouth, which he said was a most excellent styptic. The practice was a novel one to me, and I commend it to the tobacco-eating professors of the art of healing of the present day, as a styptic always at hand to some of them. Our present physico was the occasion of a good deal of fun to the sailors. He had never, before engaging in this cruise, seen a vessel or salt water; every thing was new to him, and it was some time before he could become addicted to his situation. He was intolerably seasick for several days after our sailing, and used to wish himself at home again in the bush, a hundred times a day. After he had somewhat recovered from his sea-sickness, it was some time before he got his sea-legs on. Our little schooner would pitch and roll to a great degree even when there was but little sea or wind, and I have often seen him come up on deck in his "long togs," (*i. e.*, long coat and pantaloons,) when he would soon go his full length into the lee scuppers.

But the doctor, after he got 'wonted,' as he used to term it, to a sea life, proved to be a very pleasant and agreeable companion. He would conform with the utmost good humor to the rough jokes of the sailors, and make the best of the discomforts of his situation. He had a vein of quaint, dry humor about him, which was sometimes irresistibly comic; and when telling one of his stories, which would set the table in a roar, not a muscle of his own countenance would be moved, but his face would appear as grave as a Methodist parson's. He was one of the innumerable instances which abound all over New-England, of one, who, born to no inheritance but poverty, and seemingly destined all his life long to a life of toil and labor, had yet contrived some how or other to pick up a very tolerable education, and to become a professional man. How this was accomplished, I have forgotten, if I ever knew; but I remember that he used to tell us many a pleasant story of his school-keeping days; for, while obtaining his education, he supplied his wants by keeping a country school during the winter season.

Having spent so much of my readers' patience in describing the Dons of the cabin, I shall pass over my companions of the wardroom, (who were four prize-masters and two master's-mates,) by saying that they were pleasant and companionable men, and good officers. We lived in the utmost harmony, and made the very best of our very uncomfortable quarters. To one of them I owe many thanks for his kindness to me, particularly after our capture. He is still living, a respectable and prosperous shipmaster, from Newburyport; and should these lines ever reach his eye, I beg him to be assured of my undiminished gratitude and respect.

The wardroom was a small apartment, directly forward of the cabin, the store room only intervening. It

was, as nigh as I can now recollect, about 14 feet square, within the bunks or sleeping places, of which there were four on each side; and it was so low, that the tallest of our mess could not stand upright in it. The reader may conceive, that what with our very limited accommodations, and the *juicy* character of our vessel, we did not live a very comfortable, much less a luxurious life; but we were a 'happy-go-lucky' set of fellows, and contrived to wear away the time as well as if we had been in, (as Jack calls it,) 'a white limed chamber.' I have often since wondered why I went to sea in this little vessel; for there was at that time fitting out one of the largest and most successful privateer ships that ever swam the ocean; she was commanded by a relation of mine, who made me a very favorable offer to go with him; but I preferred the little schooner. I suppose my choice was influenced by the fact, that I had been the short cruise before with my little captain, and liked him; and that the chance of a larger amount of prize money, was better in a small vessel, with a few men, in the event of our being able to capture a valuable prize.

I will here remark, for the information of the generation which has grown up, in these 'piping times of peace,' that privateering was a joint stock concern. The owners provided the vessel, and all the equipments and munitions of war, provisions, &c., for which they received one half of all the prize money; the other moiety was divided among the officers and crew. The captain received from 8 to 10 shares, the lieutenants and sailing-master, 5 or 6; prize-masters and master's-mates, 3 to 4; boatswain, gunner, and carpenter, 2½ to 3; able seamen, one, and landsmen and boys, from ½ to ⅛ths of a share.

Forward of the wardroom was the main hold, in which the crew lodged; for in fair weather they took their meals on deck. The crew were divided into messes of six each, and each mess was provided with one or more kids, and each man with a tin pot and iron spoon. Every sailor has a jackknife or claspknife of his own. One of the mess, is alternately, the caterer, or he is styled the cook; although he has nothing to do with the cooking, any further than to put the beef and potatoes into the net, and to put the mess-tally on it, carry it to the galley or cook-house, deliver it to the cook, and receive it again when sufficiently cooked. A sailor's allowance is a pound of beef and a pound of bread per day, an allowance of cocoa for morning and evening meals, a little salt, and occasionally some butter. This was our every day allowance, varied only on banion days, when in lieu of beef and potatoes, we had stewed beans with pork, and on Sundays a duff, or flour pudding. The sailors, as I have said, ate their meals generally on deck, squatting, tailor fashion, around their kids. I know these details are trivial to those who are familiar with life afloat, but I believe a large majority of those who have never been to sea, have almost as false a conception of a sailor's life, as had the old lady, who asked her son, after his return from a voyage, if they stopped every night, and put up at a tavern.

The first day at sea, it was my duty, under direction of the captain, to make out the quarter bill; that is, a record of every man's place in time of action, so many men to this gun, and so many more to that, assigning to each man his proper station at the guns and in the rigging, specifying the boarders, and the divisions to which they belonged. Our captain was a martinet in his way, and prided himself on carrying on things in man-of-war fashion; and also in having everything nice and tidy about the schooner—or, as he termed it, 'ship-shape and Bristol fashion.' Our decks were holystoned every morning; that is, they were well-sanded, then wet a little, and a large flat stone, called a holy-stone, drawn all over it by ropes, until it was as free from dirt as it is possible to conceive. More water was then thrown over them to wash off the sand, and the operation was completed by scrubbing them dry. This was the duty of the morning watch; for the whole crew, (with the exception of a few, such as steward and some others, whom ship custom allows to sleep all night, and who are therefore denominated idlers, though commonly the busiest men on board,) is divided into two watches, styled the starboard and larboard watches. The watches are four hours each, in which one half of the

crew is on duty, and the other half has a watch below. In case of emergency all hands are called, and then the whole crew is on duty. An exception to the four hour watch, is the *dog-watch*, which is two hours—when one watch is on duty from four to six, P. M., and the other from six to eight. The effect of this is to alternate the watch, so that the watch which was on duty one night from eight to twelve, is below the next night at the same hours; and so through the twenty-four hours. It was required of each mess to keep their tin pots scoured bright, and also the hoops of their mess kids, and wo betide the indolent one who was caught napping in any respect of cleanliness.

I believe I have not yet described our armament. We had a long gun amidships, (which revolved on a swivel, so that it could be discharged in any direction,) and four large carronades of a side. We had muskets, boarding-pikes, and boarding-hatchets, in abundance, and were frequently exercised to their use. Some of the least effective of the crew in other respects, were exercised as marines; and these were placed under the charge of the writer. I did my best to discipline and instruct this little army; but whether it was my deficiency in the qualities which belong to a commander, or that the soldiers were incapable of receiving instruction, I know not; but this I do know, that my army was the butt of ridicule to the rest of the crew; and the appellation of 'the awkward squad,' stuck to us like a burr. I have been more fortunate since, having attained to the rank of captain in the militia; and have been thought to bear my 'blushing honors' tolerably well.

## CHAPTER IV.

### PROGRESS OF THE CRUISE—CROSSING THE LINE—CAPTURE.

For two days after our sailing, the wind was fair and the weather serene, and our little vessel dashed rapidly over the waters. On the third, the wind blew high from the S. W., with indications of a storm; and our captain, with an experienced judgment, predicted a gale that would try the capacity of the schooner. Nor was his prophecy at fault, for the wind increased, and, changing to the N. W., realized all that I had ever read or heard of gales at sea, and more than realized any conception I had formed of the reality of such a scene, and of the capability of any creation of man's art for enduring the prodigious rage of such an elemental war. Such creaking of masts; such a jar of rigging; such a staving of bulwarks; such a rolling of our little vessel, confounded all my ideas of hearing and motion.—I had witnessed what were called gales of wind before, but they were but gentle breezes compared with this. For eight days, the storm raged; and during all this time, the raw hands among us thought ourselves to be on the very verge of foundering, as each successive wave dashed over us, and I more than suspected that the oldest and most experienced seamen thought themselves nearer this catastrophe than was pleasant to contemplate.

There is not the least degree of exaggeration in terming such waves "mountain high." There was a fearful excitement in viewing them as they came thundering on, and dashed against our little schooner with a force that threatened, each time, to bear us down to the unfathomable abyss of the ocean. Not less fearful was the roaring of the tremendous thunder, and the vivid flashings of the lightning, as they lit up the murky darkness of the atmosphere. It was almost impossible to keep the deck, and our situation below was not much better or drier than on deck. Our cook and his assistants were driven from the galley, and we had to get the cooking apparatus and our side guns below, to ease the vessel. Our appetites were not lessened by the storm, and we made fearful ravages on the little stock of raw bacon, and not trifling ones on the larger store of salt pork.

Our schooner barely withstood the storm; and as all things, even storms, must, sooner or later, have an end, on the ninth day, the gale was sufficiently

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abated to enable us to repair damages, which were neither few nor small. This done, we made sail again for the sunny regions of the tamarind and banana.

In a day or two, we fell in with and overhauled a Portuguese brig, which had been captured on its passage from New-Haven to St. Bartholomews, by the British frigate Fix, and ordered to Bermuda for trial, on the suspicion that the property was American, covered by the Portuguese flag. She was in charge of two midshipmen of the Ramillies seventy-four, and six British seamen. There was also on board, a midshipman and prize crew, whom they had taken from an American sloop, captured on the passage from New-York to Charleston, by the British schooner Pictou.—The Portuguese brig met her at sea in a sinking condition, and took out the crew and burnt the sloop. These young scions of the royal navy came on board our schooner, and by way of showing them Yankee hospitality, we made them welcome in copious draughts of whiskey and molasses. This beverage they seemed to relish highly, whether from its own intrinsic worth or out of compliment to their Yankee captors I cannot say; but, at any rate, increase of appetite grew so fast by what it fed on, that they were soon in a very unofficer-like condition. They took a sudden fancy to remaining with us and going the cruise, captured probably more by our whiskey than our manners.

Our captain determined that, although we should probably obtain salvage by sending the brig to the United States, she was not worth the attempt. So he gave orders to the British officers to repair again on board their brig, which they seemed to hear with pain and obey with reluctance. However, there was no resisting the mandate of our skipper; and after a parting swig at the whiskey-pot, they bade us farewell, and with unsteady steps passed into our boat, which conveyed them to the brig. After they had gone, we found that they had left the brig's papers with us; so we run down to her again, and sent them on board, while the midshipmen stood on the brig's deck, casting their longing, lingering looks on our low hull, tall spars, and well-filled whiskey-pots.

In about ten days, we captured a British schooner, from Guadaloupe, bound for Halifax, with a full cargo of sugar, coffee and cotton. We put a prize-crew on board, and despatched her for the United States. She, however, unfortunately got wrecked, near Anisquam; and I have understood that much of her cargo was damaged, and some plundered. This was the only prize we took during the cruise from which we received any prize-money; and what, between damage, and wreckers, and agents, each man's share was a small one.

The next day, we captured another colonial schooner, from Antigua, for Nova Scotia. Our captain thought her not worth manning out, and ordered her men to be brought on board us, and the schooner destroyed. Our second lieutenant and a boat's crew went on board and brought away their men; at the same time bringing away a few light articles. They then returned to the prize-schooner for the purpose of destroying her. It was night-fall—a strong wind, almost amounting to a gale, was blowing, and a very heavy sea running. The officer in charge of the boat had peremptory orders not to take any more merchandize out of the prize, as our captain was apprehensive for the safety of the boat. The boat's crew had, however, found some rum in the schooner, and he was unable to control them. They loaded the boat with some small casks of rum, and set out to return to our vessel, leaving our lieutenant, a prize-master and two men on board the prize. They had loaded the boat so that she sat but just gunwale out of water, and when about mid-way of the two vessels she capsized.—Every exertion was made to save the men that was in our power, and our captain exhibited a courage and energy which few men possess. The night had closed in around us, black and boisterous, and the whistling of the wind—the confusion of the crew, and the shrieks of the poor drowning men, formed a scene of horror, which, at the time, was terrible to contemplate, and is now painful to remember.

Our prisoners were on deck, doing all that they could to aid us, for which our captain promised to liberate them on the first opportunity which should occur.

By this unfortunate occurrence, we lost two officers and two seamen, and

two were saved only by the personal intrepidity of the captain. He lashed himself by a rope to our bows and plunged overboard; breasting the waves, he struck out and grappled with one man, and brought him on board. Again, he nobly risked his own life in the same manner, and saved that of a young and favorite black lad. The captain was now too much exhausted to gain the vessel himself, but was pulled on board, holding on to the black boy, in whom life appeared to be extinct. He was, however, by the use of proper means, restored. Rum, which had caused this catastrophe, was the means of saving one of the men; for, when grappled with, he was floating, holding on to a keg of it, and he brought it on board with him.

Our boats were all gone, and so were those of the prize; four men remained on board of her, and the storm had increased to a violent gale. We were fortunately enabled to keep in sight of each other for two days, when the gale abated. The men on board the prize constructed a raft from the booms and other spars, and on this they were drawn on board our schooner. We then threw two or three shots into her hull to sink her, and proceeded on our way.

A few days before the last storms, we crossed the tropical line. On crossing it, the usual ceremonies were gone through with on board our schooner. I say usual, because the practice was one which was never omitted; but I learn that it is now not so common on board of American vessels—and I hope that the good sense and intelligence of all masters, will lead them to do away with the cruel and barbarous practice. It is a custom more honored in the breach than in the observance.

As we drew near the line, a hoarse, rough voice hailed us, with the salutation of "Schooner ahoy! What schooner's that?" To this our captain replied, giving the name of the vessel, where from, where bound, and the name of the commander. The same rough voice then commanded us to heave-to, and he would come on board of us. The sails were then laid to the masts, and Neptune, his wife, barber, and a numerous retinue, came up over the bows, and passed along into the waist, where the captain stood ready to welcome them on board. The ocean-god and the fair Amphitrite, were rigged out in the most grotesque and fantastical manner possible. The whole was a burlesque on the description of Spencer:

"First came great Neptune, with his three-forkéd mace
That rules the seas, and makes them rise or fall;
His dewey locks did drop with brine apáce.
Under his diadem imperiall;
And by his side his queene with coronall,
Faire Amphitrite."

The imperial diadem was made of duck, covered with oakum; the three-forked mace was a fish spear; his majesty's robe of state was a red baize shirt, and on his shoulders were a massive pair of epaulettes, made of tarred oakum. The fair Amphitrite was a strapping great sailor, rigged out in the queerest toggery in which female grace and loveliness were ever burlesqued. The landsmen were all placed in the waist; and his majesty, with a nice discrimination, remembered the faces of all who had never been welcomed into his realm. But the old god was for once in his life in fault. It will be perceived that I had crossed the tropic and also the equator before; but my first captain was a man of too much good taste, and gentlemanly feelings, to permit old Neptune to come on board his ship. I had heard the ceremony of shaving so often described by sailors, that I was *au fait* to the thing; and my answers to the queries that had been propounded to me for several days before we reached the tropic, were very satisfactory. I had secured the silence of an old weather-beaten and rum-loving tar, who was with me in the ship, by giving him, during the whole cruise, my allowance of grog. I passed, therefore, for an affiliated and matriculated one.

The candidates having been selected, the process of shaving was now to commence. Our boat was placed on deck, half-filled with water, and a plank placed across it, but in a ticklish manner. The candidate being blindfolded, was conducted to, and made to seat himself on the plank, when several questions were propounded to him, which, if he was indiscreet enough to answer, as soon as his mouth was open, a brush, filled with tar, blacking, slush, and all manner of filth, was thrust in.

After they have worried their poor victim for some time in this manner, they proceeded to lather him, by smearing his face all over with the same detestable compound; and he was then scraped with a piece of iron hoop, notched to make it more effective, until his face was lacerated to such a degree that the blood oozing out, mingling with the tar and filth, gave the poor ill-used landsman a most deplorable appearance. To conclude the ceremony, one end of the plank was slipped away, and he received two or three severe duckings in the not over cleanly water.

Those who betrayed any signs of resistance or indignation, fared the worst—while those who took the thing quietly, and passed it off as a good joke, got off with a light penalty. One of our young landsmen, with a regard to the economy of his dress, which he rightly enough anticipated would not be very sacred against the lathering of the rough barber, had stripped himself all to his trowsers; but while he preserved his shirt and jacket clean, his raw hide had to suffer; for he was lathered and shaved from his head down to his waist; and it was many days before, by the application of grease, and soap and water, assisted by a stiff scrubbing brush, he got his body again in a decent plight. No one, save myself, who had not before been shaved, escaped—but some who were so liberal as to bribe high with grog, got off with very little annoyance.

Our little craft, for a while, presented the picture of a Pandemonium, in which the demons were holding a Saturnalia; and it was not until the next day, that the actors in this rude ceremony were sober enough to do duty.

After all had been thus roughly welcomed, and Neptune and his retinue had spliced the main-brace with all the grog they could get, they retired the same way they came—the royal Amphitrite as unamiably drunk, as was her loving spouse. They wished us a successful and happy cruise—and we kept on our way.

On the 25th of January, 1814, being just one month after we sailed from Portsmouth, at 5 o'clock in the morning, the word was passed from the look-out above, 'Sail, oh!' She was to the leeward; and as we had chased a galliott the afternoon previous, and had lost sight of her at night, in that direction, we bore away, and made sail for the strange vessel, thinking it to be the same. In the indistinct light of the morning, we were not undeceived until we were within about five miles of her. We then began to suspect, that instead of a prize, we were likely to catch a Tartar. She was a large man-of-war brig, and by her model and rig, we judged her to be an English one. We speedily hauled upon the wind and made all sail, endeavoring to show the enemy a clean pair of heels; for we had now no doubt she was an enemy, although she hoisted Spanish colors; but we had too much experience in false colors ourselves, to be deceived by them. We continued sailing close-hauled, for an hour or more, using all devisable means to propel our vessel through the water; but we perceived, that, notwithstanding all our efforts, the brig was continually, though slowly, nearing us. We did not sail so well on the wind as before it; and we gradually edged off, and kept away, until we got the wind abaft. We then felicitated ourselves for some time with the hope of escape; but it was a delusive hope, and the delusion was at length dispelled. The chase still gained upon us. We were in the neighborhood of Porto Rico, and we still hoped to keep clear of the brig until darkness came on, and under its cover to escape into the harbor of St. John's. We lightened our schooner by throwing overboard all our guns, except 'Long Tom;' most of our provisions and water, all our small arms, irons, camboose, &c.

I was amused during these proceedings, to see one man very gravely seize and throw overboard the cook's bellows. He no doubt thought that every little helped. It was late in the afternoon when we launched over the camboose, and the coppers were full of boiling beans and pork, which had been prepared for our rations for the day; but which we had not found time to partake of.

We sawed down our plank shires, started out the wedges of our masts, and kept our sails continually wet. But all would not do, for at 5 P. M. the brig had neared us sufficiently to commence firing on us with her bow-guns. It would have been utter madness for us to think of contending with her; but our captain was determined

to die game; and there was yet some little hope that we might possibly disable her enough to give us a chance of escape. With this view, we returned her fire, from our now only remaining gun; and this was an operation of no little hazard. Our powder magazine was down in the run—the cabin above it—and the companion-way, or entrance to the cabin, was covered with a sliding-door. The magazine was necessarily opened to pass up the powder, and the scuttle or entrance to it, was almost immediately underneath the entrance to the cabin. As we slewed 'Long Tom' aft, and fired over our taffrail, the cabin slide would fly back every time we discharged him, and the sparks from the match and gun would fall down into the magazine. I expected every moment that the schooner would blow up; and I by no means relished the idea of such an aërial ascension. We kept two men in the magazine all the time with wet swabs, to put out the fire, and luckily escaped the explosion of our magazine.

The brig kept up a steady fire upon us till 7 o'clock; but as we were low in the water, they did not often strike us. A thirty-two pound shot came on board us at the commencement of the firing. Though nearly spent, it struck and split the side tackle block of our large gun, struck the gun, and rebounded into the lap of the deserter from the Rattlesnake who was sitting on the slide. He very coolly walked aft with it, and presented it to the captain.

At half past 6, the enemy was near enough to pour into us, volley after volley, of musketry. Our little skipper seemed to be in his glory; he ordered all but a few men to go below, to get out of the way of the musket balls, but did me the high honor to select me as one of the few to keep the deck,—a distinction for which, I am afraid, I was not very grateful. He himself kept bustling about, watching chances, giving orders, and cracking his jokes, as coolly as if he was on a mere pleasure excursion; and as if musket balls were the most harmless things in the world.

Our sails and rigging were completely cut to pieces by the musketry, but not a man was hurt. I presume, from the circumstance that we were so much below them in the water, that their balls passed over our heads. At 7 o'clock, all hope of escape departed from the captain. The captain mounted up into the main rigging, and hailing the brig, announced our surrender, as it was too dark for them to see that we had hauled down our colors. They kept up the fire a minute or two longer, but on being hailed again, they desisted. She was then within half pistol shot of us.

She proved to be the British sloop-of-war Heron, Wm. McCulloch commander, armed with 16 thirty-two pound carronades, and two long nines, beside a twelve pound carronade upon her forecastle, and a crew of 100 men. We were boarded by an officer, who ordered all our men but two, to proceed on board the brig. While the last boat was conveying the last of us with our baggage, to the brig, the boat capsized. We all, fortunately, escaped drowning, but our poor duds went to the bottom. When I stood upon the Heron's deck, a prisoner of war, the checked shirt and duck trowsers which I stood in constituted my whole earthly possessions. It is a consolation to me, that I can never be *much* poorer than I have been. Our necessities were liberally ministered to by our own crew, who had preserved their clothes, and also by our captors. Of the kindness to myself of a young man, a midshipman of the brig, who supplied me from his own scanty wardrobe, I hope ever to cherish a very grateful remembrance.

Our treatment on board the brig was very good. The officers seemed to do all they could to promote our comfort; and instead of being exasperated at our desperate attempt at escape, they commended our little captain for it. He contrived very soon to ingratiate himself with the British captain and lieutenants, so that he was taken into the lieutenants' mess; and being a plausible, intelligent and well-informed man, gifted with an abundance of what some call modest assurance and others ill-naturedly term impudence, could tell a good story, and be by no means scrupulous as to the exact truth of it. I have no doubt that he made, for the time, a very pleasant addition to their mess.

Our lieutenants, surgeon, and myself, were invited to join the young gentlemen, as the midshipmen are called on board a man-of-war, and we passed our time very pleasantly with them; as their kindness made us almost for a time forget our captive situation.

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Our people were messed together in the hold, and were guarded by a sentinel, and not permitted to be on deck, save two at a time. This was a proper precaution, as they mustered nearly as many as the watch of the brig. We, the aristocracy of the schooner, were allowed to be on deck any time during the day; and our captive monarch, the captain, had free range, at all times, day and night.

It is the custom on board British vessels of war, to have religious services performed on Sundays, when the weather is fair; and, as small vessels have no chaplains attached to them, the captain usually officiates. One such Sunday occurred while we were on board the Heron. The decks were scoured as clean and bright as sand and holy-stones could make them. The men all shaved and shorn, and washed, clad in their immaculate white trowsers, clean shirts and black cravats, were reposing about the decks in groups, for all labor, save such as was absolutely necessary, was suspended. The carpenter and his assistants were busied in ranging the benches across the deck—the windlass was covered with the British flag—the Bible, Book of Common Prayer, and a printed volume of Sermons for the Fleet, were laid on it. The officers were all dressed in full suits of uniform, appropriate to their several ranks, and their good swords were girded on. Presently the ship-bell gave forth a long, low, solemn sound, reminding me of the pleasant sound of the church-going bells of my own far off, and to me interdicted land, when the men repaired to the benches. The officers had chairs placed for them abaft the windlass. Everything wore a religious aspect. The muscles of the sailors, usually so mirthful, were composed to gravity. The officers of our schooner were invited to attend, and places were assigned them. The captain came out of his cabin, and took his station at the windlass. After the apparent meditation of a minute or two, he opened the prayer book, and commenced the services in the beautiful and affecting language of the English ritual, the officers and many of the men responding. After the prayers, he read a short sermon, adapted to the wants and condition of seamen, and then dismissed the meeting.

It was a pleasant and solemn sight, on this bright and beautiful day, under the bright sun, and breathing the balmy airs of a tropical latitude, to behold these rough seamen in their neat dresses, attending public worship on ship-board. And its influence must have been good, for however wayward and reckless the deportment of sailors generally is, yet I have found that the religious sense is not obliterated by their wild and wandering lives. They see around them on every side, so many manifestations of the divine impress, that the religious feeling of dependence in a superior and omnipotent power, is kept alive in their hearts. This feeling is, I know, sadly debased by superstition; but with proper culture, it may be made to bear a very important influence, in elevating and improving their religious and moral characters.

When we were removed from our schooner, two of our men, one of whom was the deserter from the Rattlesnake, were left on board of her. This reckless fellow conceived the project of retaking the schooner, and he won over one or two of the prize-crew to his purpose. I have no doubt, from the daring character of the man, that he would have succeeded, had he had the prudence to conceal his intentions. But discretion formed no part of his valor; so he got drunk and boasted of his plans. He was, therefore, removed on board the sloop-of-war, with his two English associates. They were put in irons, but he was allowed to join his companions of the schooner. It is the custom, on board of men-of-war, to have a general washing-day once a week, when the weather will permit. It was washing-day on board the Heron, and the prisoners were indulged with the privilege of participating in it. Now, our desperado had no clothes to wash, for he had none but what he stood in, and those were of the poorest. At the close of the day, when the boatswain piped—"Down clothes and hammocks," our man took his empty bag and went coolly and deliberately up into the fore-shrouds, and filled his bag with the garments of some of the English seamen; and this he did so adroitly that he was not detected, nor probably ever suspected. When we were removed from the Heron, he boasted of it, and produced his plunder.

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## CHAPTER V.

### ARRIVE AT BARBADOES—IMPRISONED, AND SUBSEQUENTLY PARDONED.

On the twelfth day succeeding our capture, the Heron arrived at Barbadoes, having the schooner in company. Here, every thing I saw wore an air of novelty. The beautiful bay, with its bright and tranquil waters; the long line of beach, with its white sands, on which the surf was foaming; the thick grove of tall and stately cocoa-nut trees at one extremity of the bay, and the commanding military works at the other; the numerous fleet of men-of-war and merchant-vessels, quietly reposing at their anchors, or coming in, or getting under weigh to depart; the numerous boats plying about from craft to craft; the black and shining faces of their rowers; their mirthful and laughter-loving countenances; their jocund and obstreperous noises, and their unique negro melodies; the town of Bridgetown, lying like a crescent along the shores of the bay and stretching inland, with its white painted houses and green jalousies; far in the interior, the highlands, overtowering all, with the fog resting on their summits, while all below them was bright with the transcendant dazzling of a tropical sun, and green with all a tropical verdure—altogether comprised a scene on which I gazed with wonder and delight, which not even the disastrous situation in which I was placed, and the gloomy anticipations of a long imprisonment, could repress.

We remained on board the Heron till the next day, when we were taken on shore, attended by a guard of marines. When the last boat was loaded, and about ready to shove off, our scamp of the Rattlesnake, having conceived a covetous love for a pair of trowsers belonging to one of the English sailors, who was in irons, lingered behind, and seemed reluctant to enter. "Come, my man," said the lieutenant, who superintended the embarkation, "heave a-head and go into the boat, unless you wish to enter His Majesty's service." "Bless your honor," said the Yankee, "I should be very glad to leave your brig, but I don't like to go without my trowsers." "Your trowsers! where are they?" "Why, sir, one of them chaps that's down below in irons has got 'em on; I lent 'em to him on board the schooner, and he won't give 'em to me again."

"Well, my man, come along with me, and I'll see who will have them," said the officer.

So down between decks they proceeded, the lieutenant in a rage, and Rattlesnake with a stolid look of simplicity. The officer accosted the mutineer—"You rebellious scoundrel, give this man his trowsers."

"Sir, I have got no trowsers belonging to him."

Our Yankee rolled up the whites of his eyes, and holding up his hands in apparent astonishment, exclaimed—"Only think, now! why, he's got 'em on, sir!"

"You mutineering rascal!" cried out the sub—"off with those trowsers—quick, or I'll call the boatswain's mate and ship's corporal." The poor English lad found his best chance lay in obedience; that he had better part with his trowsers than gain a flogging; so he slipped them off, and Rattlesnake rolled them under his arm, and thanking the lieutenant, passed into the boat.

We were landed on the careenage, or mole, pronounced here Canash, where we found a guard of soldiers in waiting for us; they were part of a battalion stationed here, called the Royal York Rangers. We were conducted through several populous streets, about a mile, to the criminal jail of the island. A large number of negroes, of every age, from the grey-headed grandsire down to the "*pickaninny*" of three years of age, of both sexes, and of every variety of shade, from the jet-black to the almost imperceptible African tinge of the "*quadroon*," in every variety of habilliment, from the straight-laced dandy coat of the pampered domestic slave down to the simplest waistcoat-cloth of the plantation negro, and the younger scions of ebony in no habiliments at all, but in as perfect a state of nudity as they were when dame Nature ushered them into this breathing world, awaited

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our landing, to testify to us, in their own way, their welcome of us to their beautiful island; nor did their hospitable reception of us cease, till we were all snugly immured within the dominions of Mr. Briggs, the worthy keeper of the prison.

Their joy and welcome were testified by antic gambols; by shouts and grimaces; by wild and loud merriment; by hurling at us sticks and stones, and by regaling our ears with their wild negro songs, yelled forth with all the simple melody of these simplest of Nature's children. I preserved some specimens of these songs, and have just been perusing them. They have awakened in my now more mature years the recollection of the ludicrous scene of our passage to the prison, and of the feelings which I entertained for our mode of escort in those my boyish days. Perhaps the reader may be amused with one or two specimens:

"Man a war buckra, man a war buckra,
He de boy for me;
He catch 'em Yankee, he catch 'em Yankee,
De good prize for he."

"Ding-dong bell, ding-dong bell,
De crock ob heben trike eleben,
We catch 'em Yankee for good;
De crock ob heben trike eleben,
Ding-dong bell
De Yankee come for land-crab, for yam,
He lub a Yankee well."

On our way to the prison, we passed by a small, low, dirty-looking building, with grated doors and windows, from between the bars of which shone many a black face, with its grinning rows of ivory; and the wearers of these black and white appurtenances joined in the yells and grimaces of their brethren without. The noise, however, was not sufficient to entirely drown the sounds of the lash, or the screams of the wretched victims who were sent here for punishment. This place was called "the cage," and was used to confine the unruly and refractory slaves of the town, and of the neighboring plantations. I understood that they were sent here by their masters, and that the duration of their confinement, and the number of lashes they received, were dictated solely by the feelings of resentment, or the whim or caprice of their owners. There were men always in attendance to inflict upon them such punishment as their owners directed.

The callousness of these wretched beings to their punishment, and their apparent insensibility to their degraded and outraged condition, struck me with wonder and astonishment, coming as I did, from a land where slavery had long ceased to exist, and where it never had existed but in a mitigated form.

I was one day going past this cage, when a stout negro was undergoing the punishment of the lash, inflicted by one of the white brutes in charge of the place. A group of negroes were looking on and making merry at the sufferings of their fellow-slave, sufferings which, perhaps, they had recently undergone, or were doomed to undergo at no very distant period. I could not repress my feelings of indignation, but vented them pretty audibly, and in no very gentle terms. "What usiness for you, sar?" said one of them, "spose I had a nigger, and he speak me sassy, I dead him directly;" and all the other negroes applauded the speaker.

We found when we arrived at the jail, about 500 French prisoners confined there, being the crews of two frigates which had been captured a short time previously, by the Venerable, 74.

The jail, if I remember right, was of stone, two stories high, and surrounded on all sides with a high stone wall. The yard was tolerably capacious, and we had the freedom of it, in the day time. I believe that there were some prisoners belonging to the island, confined there waiting trial, but I did not see them. There was one black woman—a slave, under sentence of death, awaiting execution. Her crime was the murder of another slave.

We were visited the first day by the American agent. He was accompanied by a Jewish clothes dealer of the island, and made very particular inquiries as respected our condition and our wants, and promising to send those who were in a destitute condition, a supply of clothing, which promise he soon after executed. This first interview with our countryman, the representative of our government here, and with whom we were destined, for a time, to associate the idea of our protector, on whom we were to rely for a redress of any grievances we might

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suffer, and to whom we were to look in a measure for protection, produced in our minds a favorable sentiment of his kindness and care of us, which I am sorry to say, a subsequent acquaintance obliterated.

The first day or two that we were in jail, we occupied its basement story, a dark, uncomfortable, and unhealthy abode; but I do not think that we were put there in a spirit of unkindness, for during our stay on this island, we were uniformly treated with all the kindness compatible with our situation; and I never witnessed a harsh or disrespectful tone or bearing from any one, having authority over us, except under strong provocation; and then but seldom. It requires no small degree of kindness of spirit and self-command, for any one in charge of prisoners of war, to be able to avoid harshness of manner. Under such circumstances of restraint, the worst passion of the prisoners were but too often displayed; and there is a reckless, daring character, about American prisoners, a chafing under restraint, which renders it extremely difficult to keep them within the limits of proper subordination. The keeper of this prison told me when we had been there but a few days, that our forty men gave him more trouble than the five hundred Frenchmen. Said he, "A Frenchman settles down at once in a prison, into habits of quiet order, industry, mild gaiety, and respectful submission, so that he causes us very little trouble; but your men have such a wild, reckless, daring, enterprizing character, that it would puzzle the d—l to keep them in good order."

We were confined in the cellar, because it was the only unoccupied part of the prison, except the garret. The prison-ship had been cast ashore the previous hurricane season, and another was being prepared. After a day or two, our situation was found to be so uncomfortable, that the keeper removed us to the garret, where we were a little better off as regarded light and air, but the heat from the sun, which had full play into our room, was almost suffocating. As we had the yard, however, to pass the day in, we made out to exist during the night; but it was a state of parched and feverish existence; and to this was added the annoyance of various kinds of insects, which put sleep almost out of the question. We consoled ourselves with the thought, that we should soon get used to this kind of life, and that then it would not be so intolerable, as habit takes off the wire-edge of every thing. But it was destined by fate, or by John Baker, Esq., lieutenant in the Royal Navy, and agent for prisoners of war, that some of us should not stay long enough in this jail, to get used to its garrets.

We were visited every day while there, by a great number of negroes, with various fruits, vegetables and other commodities to sell, carried on their heads in trays, and the way in which these merry-hearted and unreflecting creatures would dance and caper about, with their trays on their heads, unsupported by their hands, amused me, and excited my wonder at their dexterity. It has been said, and that truly, that the negroes' head is the only beast of burden in the West India islands; and the weight they will carry with apparent ease is almost incredible, for I have seen a negro trot off with a load, which it required two to place upon his head.

I was for some time puzzled to know, why the demand for cocoanuts was so great among our people and the Frenchmen; for, truly, tray after tray full were all the time being bought, while other, to me, more delicious fruit, were in a great degree neglected. But, at last, the problem was solved. One of our sailors, who had taken a liking to me, came one day with a cocoanut in his hand, and with much kindness of manner, inquired of me, if I should not like to suck a monkey. I thought the man was quizzing me. "Well, well, my lad," said he, "if you don't know what's good, I do; and there's more for them that likes it,—that's all, my chap;" and parting the husks of the cocoanut, from over the eye of it, he displaced a cork, and putting the nut to his mouth, he drank away with much seeming fondness.

On further inquiry, I found that rum was prohibited to the prisoners, and that the negroes, to supply their craving desires, were in the habit of removing the milk from the cocoanut, by letting it run out at the eye, and supplying its place with rum. The great demand for cocoanuts was no longer a

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mystery, and the prison phrase of sucking the monkey was explained to me. I have since seen this mode of smuggling rum, practiced on board of men-of-war, in the West Indies. Here was a new solution to the old problem of "What causes the milk in the cocoa-nut."

The keeper of the prison was a worthy and humane man, and did all that was consistent with his duty and the poor accommodations of the jail, to make our situation comfortable. His kind family, likewise, were assiduous in their endeavours to serve us. The transport agent, who had the general superintendence of prisoners of war, though a pompous little man, was, in the main, kind and humane. We were visited by many of the inhabitants of the island, and none came without kind words or looks, and few without more solid tokens of sympathy and commiseration. Kind words, and kind looks were, to me, more gratifying than presents, because all that was necessary to existence was provided by those whose duty it was to do it; and in my feelings of almost utter desolation, in the midst of a crowd, with most of whom I had no sympathy of common feelings; a kind word, a sympathising look, or a friendly grasp of the hand, affected me almost to tears; while, at the same time, my unmortified pride would have spurned at any thing in the shape of alms.

After remaining in jail a week, five others and myself were admitted to our parole. We were taken out of prison and conducted to the office of the transport agent, where we came under the necessary obligations to conform to the restrictions of our parole. We were admitted to this favor, because we had held offices of some rank on board our schooner, and, we understood, at the special request of the governor of the island.

While at the agent's office, I used all the force of the little rhetoric I possessed, to induce him to send me home. I was down on the shipping list of the schooner, as clerk, and when we were captured, I destroyed the quarter bill, which showed me up as an officer of marines, so I represented to him that I was a non-combatant. He replied, that I had a pair of hands and two bright eyes, and he had no doubt that I had done my best to shoot an Englishman. I told him that I was in poor health; and he said, that the climate of Barbadoes was very salubrious, except when the yellow fever was there. I told him that I was young and small; and he said that time did wonders in correcting both these faults. Finding him inexorable, I exclaimed in a pet, that I thought it hard to detain a boy like me. "Boy!" said he, with considerable sternness of manner; "if you are too young to run at large, I had better send you back again for Mr. Briggs to take care of you; he understands the management of boys very well." This recalled me to a better sense of our relative situations, and made me ashamed of my petulance. I accordingly apologized to him, and accepted my parole.

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# THE KNIGHT IN ARMOR.*

## A FRAGMENT FROM THE JOURNAL OF AN OFFICER.

BY MRS. E. F. ELLET.

"And even the like precurse of fierce events,
As harbingers preceding still the fates,
And prologues to the omen coming on,
Have heaven and earth together demonstrated."

HAMLET.

* * During my temporary residence in L——, I made acquaintance, among many others, with a young man of family somewhat distinguished, whose name was D'Arcy. I have seldom been so much interested in a stranger, almost at first sight, as in him; and yet there was little about him to command admiration, or any particular regard. Without being remarkable for either talent or personal advantages, he was not deficient in either; but possessed none of that happy faculty of adapting himself to those he wished to please in society, which so often supplies the want of more valuable qualities. He was unequal in his humors—often capricious, and took no pains to conceal any emotion that chanced to affect him. Sometimes, in the gayest circles, he would suddenly become silent, and remain wrapt as it were in sullen meditation for hours together. Nay, I have seen him, in the midst of conversation, in which he had joined with apparent pleasure, grow pale all at once, start up, and rush out of the room.

That which, in spite of his eccentricities, irresistibly interested me, even so much as to attach me to him, was his deep earnestness, with an ingenuousness that led him too frequently into the betrayal of his thoughts to those who could not sympathize with him.—His imprudence in speaking of his own affairs startled me at first; but I soon perceived that his utter want of tact arose not from stupidity, but from the intensity of the earnestness before mentioned. He could not bear the slightest trifling—not to say jesting—with subjects in which he felt interested.—These peculiarities, of course, unfitted him for general society. I perceived this from the first; and the loneliness of his condition, with the confidence he seemed to repose in me, beyond others, won my sympathy. Ere long, he regarded me almost as his only friend.—He spoke to me with openness concerning his affairs, frequently asked my advice, and sought my society continually. Only upon one subject did he manifest the slightest reserve; and that was his family. He seldom alluded to his relations, and, of course, I never asked any questions concerning them.

* * The troops were on their return, and passed through L——. We had several of the officers to dine. The table was set in a garden; the beauty of the day and the warmth of the season inviting to a banquet in the open air. The evening was delicious, and our festivity unbounded. But Fate had decreed that we were not to separate with hearts as light as when we met. D'Arcy drank more wine than usual; a single glass always produced a perceptible effect upon him, and his repeated draughts irritated him to absolute phrenzy. He fell into a violent dispute with Col. T——, and blows were exchanged before any of the company could interfere. Notwithstanding that both parties were half intoxicated, it was evident that their quarrel was such as would not be forgotten with the return of cool reason, as I saw by the expression of Col. T——'s face when they were separated.

My fears were but too well founded.

* Founded on incidents related in the "Freimuthigen" for the year 1820.

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Early next morning Col. T—— sent a challenge to M. D'Arcy, which was instantly accepted. I called upon him with the hope of adjusting the affair; but he would listen to no remonstrance. There was nothing to be done but arrange the preliminaries of the meeting —my friend having appointed me for his second.

When I went to D'Arcy to consult him about the necessary arrangements, I was surprised to find him plunged into the deepest dejection. I had never seen him so melancholy. It was contrary to his usual character; for in moments of danger he had ever shown the most exalted courage, and kept up his spirits even when others were drooping. Could it be that he had misgivings as to what he was about to do? I now believe it; for I have since then learned to question the courage of the duellist.

But there was no receding. The honor of my friend was pledged; the meeting was to take place on the morrow morning; and it was my office now to cheer and encourage him. I remained with him in company with two or three others of his acquaintance till late at night. We talked of every thing likely to interest and animate him. But he became more gloomy and abstracted. I was beginning to lose all patience, and was about leaving him— when, hearing the clock strike eleven, he suddenly sprang to his feet, pale and trembling—and motioned us away. "Leave me, friends," he said, "leave me, I entreat you, it is the last favor I shall ask!"

He seemed so much agitated, that we did not stay to question his reasons; but departed immediately.

With many sad misgivings I went at the appointed hour next day, to accompany D'Arcy to the place of meeting. What was my astonishment when he met me at the door with a cheerful and joyous look, shook me warmly by the hand, and spoke as jestingly of the coming duel, as if it were merely a morning walk he anticipated. This strange hilarity, contrasted with the gloom of the preceding night, gave me fears for the sanity of my friend. I watched him narrowly. I could perceive nothing further in his demeanor to confirm my half formed suspicion, except the fact that he had made no preparation of any kind, for the possible event of the encounter that was to take place. When I alluded, as delicately as I could, to this improvidence, he laughed, and said he would have no ill-boding fancies to torment him. Col. T——'s shot was none of the best, and he was fortunately, rather a thin person. His indifference, I must confess, shocked me.

This mood continued to the last. He went with me to the ground; sang and jested till Col. T—— and his party arrived; and took his place as if it had been in a quadrille. With the same recklessness—I cannot call it composure —he awaited the fire of his adversary. The ball grazed his hat; D'Arcy himself fired in the air.

Col. T—— was enraged beyond expression at the coolness of his enemy. He insisted on another fire; to which both seconds objected. But D'Arcy silenced us, and consented to a second trial.

Another, and another shot was exchanged, without effect; it was probable that Col. T——'s agitation prevented his taking aim as he wished. D'Arcy fired each time in the air. It was altogether unfair to allow the combat to proceed; we refused to permit another shot; and Col. T—— was forced to give up. He rejected, however, D'Arcy's overtures of reconciliation, vowing that he would still have his revenge.

"You may—but not now," returned my friend, with an expression of countenance I had never before seen him wear; "I knew well, that my time was not yet come."

* * "You shall have no reason to reproach me," said D'Arcy, in reply to my repeated request for an explanation of his singular conduct, "with any want of candor. What you would know is the only portion of my life, of which I have a reluctance to speak; yet *you* shall know all."

"From my earliest childhood I remember hearing the traditionary tale, of the apparition of one of my ancestors —a knight in gray armor. It was said to appear always at midnight—on the eve of the death of some one of the family. So much had I heard of this phantom knight, that I was as familiar with his figure as if I had seen it; and often dreamed of him in boyhood, though as I grew older, I learned to look upon

the whole story as a nurse's fable. I never heard my father or elder brother express actual belief in its existence; though they, like me, had often heard of it. Their active life rendered the impression less strong than with me; for I was delicate in health, and brought up a student. It was my father's design to fit me for the church, in case my inclinations should lead me to embrace that profession.

"I need not dwell on the incidents of my early years; all these are familiar to you. I hasten to that event, which has colored my whole life. I have never mentioned it before; perhaps I should not now; for you will scarce credit so strange a tale. But you will believe me, at least, sincere, and wonder not that I should be what fate, it seems, has willed to make me.

"My father spent much time in B——, for his business affairs occupied almost his whole attention. My favorite place of residence was his country-seat, the patrimony of his ancestors, where I could indulge my love of solitude and quiet. I was at this period about eighteen years of age. My father's health was feeble; and he had promised me, as soon as he could arrange some important business in B——, to return and pass the winter with me in our old home. I was occupied in devising improvements upon the estate, which I thought would meet his approbation.

"One night,—I remember well, I had been anxious all day, on account of having not received expected intelligence of my father. I had been sitting up late, drawing plans for some of my buildings. The clock struck twelve; and smiling to think how completely I had beguiled the time, I put aside my papers and threw myself into an easy chair by the fire. I know not what impulse, or accident, moved me, after a few moments of thought, to glance towards the table. Conceive my amazement, to see standing in the middle of the room the figure of the knight in gray armor, with vizor closed, exactly as I had so often heard him described!"

I could not suppress a sigh, at the earnestness with which my friend described this spectral visit; but I did not interrupt him.

"I cannot expect," he resumed, "to be believed with the same intensity of conviction I myself possess, of the reality of this apparition. Had your eyes witnessed it, as mine have—you could not doubt. Yet my first thought, too, was, that the appearance was a deception—a mere trick—perhaps to test my courage. The thought infuriated me; I sprang up, and rushed upon the figure, endeavoring to seize and unmask it. I grasped but the empty air! Again I saw it; it stood by the door, and beckoned me to follow!

"Astonishment, terror, and an impulse I could not resist, bound me in absolute thraldom to the will of the phantom—for such I now knew it. I followed it; I know not how; for my senses, and consciousness itself, were wrapped up, as in a dream, and fixed on one all-absorbing object of attention. We stood, at length, in the chapel. The vault in which reposed the bones of so many of my ancestors, was before me. Its iron-barred door, the blackness of darkness within—and the solemn associations of death and the grave, were sufficiently appalling at this silent hour; how much more the presence of such a companion! I now perceived three lilies—the emblems, as I well knew, of our race—in relief against the darkness of the door of the vault; but whether painted against its iron face, or actually blooming within, and seen through the spaces of the bars, I could not distinguish. I saw the figure of the gray knight stride slowly, very slowly, toward these; I saw him crush the central, and largest, lily, in his hand; then he vanished through the door of the vault, as if he had passed within. I felt, at the same moment, a rush of cold air upon me, and fell insensible upon the pavement."

"You shall not go on, D'Arcy!" cried I; for I saw that he was agitated and dreadfully pale; but he shook his head, and proceeded, as soon as he had recovered composure.

"I have little more to say. The next evening came the intelligence of my father's death. He had expired suddenly—the same hour in which I had seen the gray knight. On my brother devolved the management of his affairs, which were in far greater embarrassment than either of us had anticipated.

"I am, now, poor, as you know;

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but it is not that which has cast the shadow over my life: which has rendered me so moody, capricious and wayward. The remembrance of that spectral figure, the certainty that it still pursues me—visible ever in dreams to my imagination, and again to appear before my bodily eyes—haunt me continually, and have changed my whole character. I know as well as I know my own existence—that the gray knight will again stand before me, to announce my brother's death or mine. The anticipation of this sight is a perpetual horror to me. I cannot close my eyes at night in peace. It is not the fear of death, which thus overwhelms and unmans me; for I pledge you my word—could I hope to die without seeing the phantom—death were thrice welcome! Why should I cling to life? it can offer me only misery and dread! Far, far worse than the most frightful ideas of human dissolution—is the thought of encountering once more, that terrible being whose presence fills my soul with horror unutterable, inconceivable!"

Poor D'Arcy was greatly disturbed. I would not suffer him to speak another word. All was now explained; his strange behaviour the night preceding, and the morning of the duel; and, alas! my dreary apprehensions were confirmed. His obstinate belief in so wild a fantasy—what did it bode but the development of a malady which has stricken down so many of the noble and gifted of earth!

For many weeks after this, D'Arcy suffered from a brain fever, that brought him to the borders of the grave. I attended him till on the recovery, and pronounced out of danger. I was then obliged to leave L——. He purposed doing so likewise, as soon as his strength was sufficiently restored. I parted from him with deep regret; and have committed these recollections to my journal, in the sad conviction that I shall see him no more in this world. He has evidently not long to live.

* * * * * *

*B—, March*, 18—.

A few days since I arrived here. What strange events surprise one, almost at every turn, in this changeful life!

I had been in B—— but a few hours, when I learned, in answer to diligent inquiries, that D'Arcy, now the sole survivor of his family, was living at his country seat, a day's journey from the town. It may be imagined that I did not hesitate to take the journey. I went on horseback; and arrived in the evening at a little hamlet not far from the old and stately mansion now owned by my friend. Leaving my tired horse at the inn, I walked the remainder of the way—anticipating the pleasure my unexpected and unannounced visit would confer on D'Arcy—whom I had not seen for three years. Strange as it may seem, no apprehension concerning him once entered my head. If it had—I am no believer in the doctrine of presentiments.

I rang the bell at the gate with an assured hand. It was answered almost instantly by the porter, who appeared disappointed at seeing me. I asked for his master; he shook his head mournfully; I heard at the same time some of the other domestics weeping.

"For heaven's sake, tell me," I exclaimed, "what has happened. Your master, — Edward Comte D'Arcy—"

"My master is dead," he replied.

I stood petrified.

"We have sent for the physician," he continued, "and expect him every moment; but it is too late. The Comte's illness was very sudden."

"May I see him?" I asked. "I am his friend."

"Certainly, Monsieur," said he.—"Walk in; Clemence will show you the room."

In a few moments I stood beside the couch on which reposed the inanimate form of my friend. He had been taken ill, the valet informed me, in the morning, after his return from hunting; but would have no medical advice, insisting that it was merely one of the paroxysms of weakness under which he had suffered occasionally for a year past. As evening came on, he became suddenly worse, and had breathed his last but a few moments since. The whole household was in confusion.

Soon after, the physician arrived.—During his examination, my eye was caught by a folded paper on the table, addressed to myself. It was endorsed with directions to various places, where the writer supposed I might be. I

opened it eagerly; it contained only these words:—

"Farewell, my friend! My ancestor, the gray knight, has summoned me. He held the last lily crushed in his hand. My name and race will be extinct with me. But I murmur not. I follow his behest. There is one Almighty Ruler, who orders all for the best. Farewell, and be happy!

"E. D'Arcy."

Life was not yet extinct in my unhappy friend. The aid of the physician restored him to sensation, but not to consciousness. He lingered many days, but did not recognise me, or any one else, before he died.

I have preserved this sad memorial of him, not only from personal regard, but because it illustrates one of the phases of a malady, the more terrible to our race because so often apparent in the midst of perfect bodily health and soundness of mind, on all subjects but one. Were I a scientific man, I would devote years to investigations so fraught with interest, yet so enwrapped in mystery.

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## A VISION OF THE NIGHT.

BY SARAH H. WHITMAN.

"In thoughts from the visions of the night,
When deep sleep falleth upon men, a spirit
Passed before my face——"
"*So near—yet oh, how far!*"
Goethe's Faust—*Part Second.*

Night lingers, brooding o'er the world,
Though veiled in clouds her starry crest,
Close on her raven bosom furled
Her sun-lit wings of silver rest.
E'en the wild Norland fires that mocked
Their faint gleam in the Eastern sky,
Now leave me, in close darkness locked,
To Night's weird realm of phantasie.

Borne from pale shadow lands, remote,
A Morphean music, wildly sweet,
Seems on the starless gloom to float,
Like the white-pinioned Paraclete.
Softly into my dream it flows,
Then faints into the silence drear,
While from the hollow dark outgrows
The phantom Past, pale-gliding near.

So near—yet oh, so strangely far,
As one who walks in waking trance!—
So faint, so far, the utmost star
Grows not more dim beneath our glance.
Charmed by that still and dreaming eye,
My heart leaps wildly from its sweon,
Like ocean when its waters lie
Tossing beneath the orbed moon.

The phantom Past! so lonely fair!
So veiled in shadowy, soft regrets—
So steeped in sadness, like the air
That lingers when the day-star sets!
Ah, could I fold it to my heart,
On its cold lips my kisses press!
This waste of aching life impart
To win it back from nothingness!

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Close fold it to my throbbing heart—
On its cold lips my life exhale—
Or bid it from my dream depart,
Nor mock with bliss lone Sorrow's bale.
Thin as a cloud of summer even,
All beauty from my gaze it bars,
Shuts out the silver cope of heaven,
And blooms athwart the dying stars.

The visioned Past!—so strangely fair,
It laps me in pale dreams away
From life's warm sunlight, as a star
That faints from out the golden day.
Its helpless, death-crowned beauty seems
A chartered sorrow of the soul—
It hath no life but in our dreams,
And, save Love's bleeding heart, no goal!

So near its presence thrills the air,
As moonlight on the waters cold
Breaks the dark shadows slumbering there
Into bright waves of living gold.
So near, and ah so deadly fair,
As through the gloom its glory passed—
So faint—so far! the palest star
Fades not beneath the eye so fast!

Cold, sad and spectral by my side
It breathes of love's etherial bloom,
And bridal memories long affied
To deathlier silence than the tomb.
Sweet, cloistral memories, that the heart
Shuts close within its chalice cold—
Faint perfumes that no more dispart
From the bruised lily's floral fold.

"My soul is weary of her life"—
My heart sinks with a slow despair.
The solemn, star-lit hours are rife
With phantasie; the noontide glare
And the cool morning, "fancy-free,"
Are false with shadows; for the day
Brings no blithe sense of verity,
Nor wins from twilight thoughts away.

Oh, bathe me in the Lethean stream,
And feed me on the Lotus flowers!
Shut out this false, bewildering gleam,
The dream-light of departed hours!
Thorough the outer halls of space
Its ray recedes from age to age—
But never shall its path retrace,
This deathless longing to assuage.

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As the winged comet, wandering far
In wildest hyperbolic curve,*
Far, far from its fair focal star,
Doth the pale Past from Present swerve.
The Future can no charm confer
My heart's deep solitudes to break;
No angel's foot again shall stir
The waters of that silent lake.

Then bathe me in the Lethean stream,
And feed me on the Lotus flowers!
Nor leave one late and lingering dream,
One memory of departed hours!

* "Comets that move round the sun in hyperbolic curve, never return, but pass out of our system, and save us never to return."—*Lambert.*

## ETCHINGS WITH A CHISEL.*

### THE MIRACULOUS PICTURE.

When you enter the church of Santissima Annunziata at Florence, your attention is drawn at once to a sort of miniature temple on the left hand. It is of white marble; but the glare and flash of crimson hangings and silver lamps, scarce allow your eye the quiet necessary to appreciate either form or material. A picture hangs there. It is the miraculous Annunciation. The artist who was employed to paint it had finished all except the head of the Virgin Mary, and he fell asleep before his easel while the work was in that condition. On awaking he beheld the picture finished; and the short time that had elapsed, and his own position relatively to the canvass, made it clear that a divine hand had completed a task, which, to say the truth, a mortal could only attempt with despair.

Less than this has made many pictures in Italy the object of attentions which our puritanical fathers stigmatized as idolatrous. The miraculous "Annunziata" became the divinity of a splendid shrine. The fame of her interposition spread far and wide, and her tabernacle was filled with the costly offerings of the devout, the showy tributes of the zealous. The Prince gave of his abundance, nor was the widow's mite refused. To this day the reputation of this shrine is untouched by all the coldness of science and all the scoffs of France and England.

The Santissima Annunziata is always veiled, unless her interposition is urgently demanded by a public calamity. A draught which threatens the Val d'Arno with famine—a continuation of rain which swells the irritable rivers and rivulets of Tuscany to their brims—a rumor of plague at Leghorn—the cholera—such and such only are deemed the "digni vindice nodi," that can draw the veil between the face of Mary and the high altar of God's house.

During my own residence at Florence, I have never known the miraculous picture to be uncovered during a drought, without a successful and speedy result. And in cases of long continued rains, its intervention has been equally happy. I have heard profane persons hint that the barometer was consulted on these occasions; else, argue they, why not uncover the picture before the mischief has gone so far? What an idea, however, is suggested by the bare hint! The venerable white-headed priests stealing from the instruments of science a claim to direct divine interposition! How could they, if they had any belief in God, thus take his name in vain? If they have made up their minds that

* We have given the above title to the present paper from the pen of our distinguished countryman, Greenough, the Sculptor, whose present residence is at Florence. We are sure all the readers of the Democratic will unite with us in the hope that he will often thus lay aside the chisel for that pen which he uses as happily as the former instrument of his noble art.—Ed. D. R.

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portions of their creed are true, and other portions only useful, where do they draw the lines?

I stood on the pavement of that church, with an old man who had himself been educated as a priest. He had a talent for drawing, and became a painter. As an artist he was mediocre, —but he was learned in all that relates to art. He gradually sank from history to portrait, from portrait to miniature, from miniature to restoration; and had in his old age, the grim satisfaction of mending what in his best days he could never make—good pictures. He was, when I knew him, one of the conservators of a Royal Gallery. He led me before the shrine, and whispered, with much veneration, the story I have related, of its origin. When I had gazed long at the picture, I turned to speak to him, but he had left the church. As I walked through the vestibule, however, I saw him standing near one of the pillars that adorn the facade. He was evidently waiting for me. Methinks I see him now, with his face of seventy and his dress of twenty-five, his bright black wig, his velvet waistcoat, and glittering gold chain—his snuff-box in his hand, and a latent twinkle in his black eyes. "What is really remarkable," said he, "in that miraculous picture," taking me by the button, and forcing me to bend till my ear and his mouth were exactly on a line—"what is really remarkable about it is, that the angel who painted that Virgin, so completely adopted the style of that epoch! Same angular incorrect outline! Same opaque shadows! eh? eh?" He took a pinch, and wishing me a good appetite, turned up the Via S. Sebastiano.

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### DO NOT BE AFRAID OF GRACE AND BEAUTY!

I seldom fail to see the jugglers and the exhibitions of feats of strength and agility that are announced in my neighborhood. It is not as gratifications of curiosity merely that they interest me. I love to see in them the marvellous capacities of this noble frame, which, when fully developed, seems adapted to cope with difficulties and danger never encountered in this life—an eight-day clock, that can be made to go for a year. To me there is a devotional feeling attached to such an appreciation of our bodies. I worship when I see this brittle form borne at full speed upon the back of a fiery horse, yet dancing as on the quiet ground, and smiling in conscious safety. I once saw a Swiss who performed many of the feats of the East Indian jugglers. His figure was strong and symmetrical, but his face dull and heavy; yet, when he set five brass balls in motion, and kept them flying round his head together, his face itself assumed an expression of soul. What his eye wanted in light, it seemed to compensate for by intenseness and motion; and the whole man, to the very last phalauges of his toes and fingers, lived with an intense life.

Of all exhibitions of this sort that I have witnessed, the dancing of Taglioni, Elssler, and Cerito, is to me the most pleasing. I do not deceive myself as to the source of much of this gratification. I know that the senses have their full share in this pleasure; but I am no more disposed to quarrel with myself for this than I am inclined to self-reproach for the agreeable influence of the sun in winter; or of shade, and the sound of spouting water, in the dog-days. I have been pained and shocked by a portion of the performances of these wonderful dancers quite as much as I have been delighted by the rest. I am no more disposed to conceal my disgust at the gymnastics of the brothel, than I am to make a secret of the charm I find in the poetry of motion. Catullus, Tibullus, Moore, Byron, are tame, and pale, and gross, withal, in painting female attraction, compared to Fanny Elssler in the Spanish dances. No doubt those melodies of movement have been unfavorably modified in their transfer by hirelings to the stage; but enough of their original beauty and naïveté remains, to show us the full power of womanhood revealing itself to man—strongly, for it is the origin of all strength—gracefully, for it is natural—innocently, because it is just what God made it. One may sometimes smile at the complicated inconsistency of our civilization, which

alternates between a mistaken condemnation of our nature, and a grovelling subjection to appetite. One seeks in vain to trace the logic by which the fond mother connects her precepts of reserve, delicacy, and a chastened mind, with the costume in which she sends her darlings to the slave-market, or in modern phrase, brings them out.

Whatever accumulation of theory, and of profession of form and observance, may be built across the current of man's nature, the utmost that such a dam can do is to create an ever increasing power up the stream, proportioned to its tightness and efficiency; a sure sign that the water was meant by the Creator to go through or over such hindrance.

I remember having assisted at an Italian vintage, in the Modenese territory, when a boy. We were a merry troop, and the setting sun found us grouped around the purple treasures of the vine, that lay heaped triumphantly in the villa court-yard. We were hungry, for we had toiled and laughed long and heartily. It was Friday; and, excepting myself, all were good Catholics. What was to be done? Were we to content ourselves with *soupe maigre* and *baccalá*, or were we to incur damnation? My friends soon showed me how they understood this matter. Capons were already turning slowly before the kitchen fire; and when they were placed upon the table, the cook, amid a roar of laughter, informed us that holy water had been brought from a neighboring chapel, and that the savory birds had been baptized "salt fish." So all fell to, and good humor and good digestion showed that conscience had for the nonce been fairly lulled.

When I compare the Spanish girl, with flowers in her hair and heaven in her eye, exhibiting in her person that eloquent, that pleading, threatening, scornful, relenting harmony of the Cachucha, with the stiff English dame, red with rouge, blazing with diamonds, her head fraught with proprieties, her heart full of contempt for what is below, with cringing spite for what is above her, I am tempted to quarrel with civilization. I cry out in my bitterness, Alas! alas! what have ye done with my people?

The Greek culture was not so broad as ours; but it was deeper and more consistent. They did not pay thousands to secure the most eloquent men to preach poverty; nor did they divide society into those who were taught to turn the left cheek when the right was smitten, and those whose trade it is to kill in cold blood, without asking questions. They took the world as they found it; and when they carved their Jove, his face wore a majestic smile. They did not flinch from fact. Venus and the Ebarites were not inseparable, yet they were not incompatible. Socrates died as pure a martyr as any, save One; for he had no promise of eternal joy; and in appreciating performances, the question of wages is a weighty one.

In gazing at Elssler, as she floated on the flood of music, I asked myself, what statue, what picture, could convey to the mind such a succession of images? That connection of attitudes; that gliding from *pose to pose*; that contrast of sentiments; that play of light and color, what can render them but the living creature? Nothing. Yet will I not compare that drunken thrill to the sober stir of my blood, the soaring of my mind, as I look upon the Apollo—all radiant with soul and conscious majesty—that face of immortal youth—those matchless limbs, that seem incapable of fatigue or pain—that generous anger! Does all this charm me because it is divine? Surely not; but because it is humanity—humanity not ashamed of itself; which seems to say—Imperfect as I am, show me something better!

Many suppose that the immorality and grossness of the actors, dancers and musicians, of modern society, has a necessary connection with their employment. I cannot think it; because those defects interfere with the success of their efforts. The ban of the church has made them, like the drunken slaves of Sparta, a warning and an example.

The theatre in Catholic countries is an opposition to the cathedral. The camp-meeting and the conventicle are theatres. In Austria, there is a poor man's opera-house in every village—with a cross at the top of the spire.

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## PRINCE METTERNICH.

The enthusiasm with which many persons visit spots consecrated by history, is a feeling which I can only partially comprehend. Antiquarian curiosities, as such, and individual relics, are tasteless to me. I never cared a farthing to know out of which window of the Palazzo Vecchio the Archbishop was thrown. I have passed the spot where Louis XVI. looked his last on a ferocious crowd without remembering him. Franklin's hat and Washington's coat to me are only old clothes.

I do not believe that this feeling is naturally wanting in me, but I fear I exhausted it, when a boy, by often reflecting that the same sun which threw my slender shadow on the grass had lighted the face of the Saviour, and gleamed on the bald and laurelled head of Julius Cæsar.

I never could even muster curiosity enough to feel a sensible gratification in looking at kings and great men. In my youth, circumstances placed me where I enjoyed an intercourse with one, if not two great men; and having seen the inside of that noble phenomenon, I have never cared much for the outside. I have been in almost all the European residences without seeing the king; I wish I could say, also, without feeling him.

Here, in Vienna, I have had a revulsion of curiosity. I have felt a prurient desire to look at the Prince Metternich. Don't laugh at me! I have lived many years in Italy. I have passed a whole year in Austria. After so long a fast I feel as if I could devour a real man. See one I must, if possible. I communicated my wish to an official personage, who kindly promised to secure me a peep at the arch-conservator. I was accordingly taken one fine morning to the chancelry, passed up the noble staircase, walked my impertinence through the hall, where servants in showy liveries were lounging, and was requested to wait in the anti-chamber, while my indulgent guide transacted his business with the Prince. I found myself alone. I mistake; two monkeys and a parrot were there to beguile the time. On a side table was a basket filled with the apparatus of Bosco, the celebrated Sardinian juggler. Four unframed pictures, apparently fresh from the easel, leaned against the wall. They represented beautiful girls in various degrees of alluring deshabille; and bore, not only in their draperies, but in their attitudes and expression, a "grata proteritas," which made it clear that they were not painted for a convent. I remembered reading that the Prince's mother had once complained to his father of the attentions of the future minister to her maids. He was then about fifteen. "Lass ihn gehen," said the parent, laughing, "lass ihn gehen, er wird ein tuchtegin kerl seyn." I could not help smiling at the proof that was before me of a conservation of tastes, which is rare in men who begin life as the Prince did, and whose position and fortune give full scope to their propensities. Reasoning from all that I had seen and read, I might have expected to find a half-naked female among the pictures of the Prince, but I would have made an even bet that at three score and ten it would be a Magdalen. You see I should have lost. In this, as in politics, the Prince has had the moral courage even in this age of reform and of morality—hem!—to let well alone.

I have said there were two monkeys in the room. Each was tied to a pole on which to gambol; a warm carpet was extended to the length of each chain, and these carpets were strewn with fragments of bread and nuts, slices of pineapple and joujoux, to occupy the ingenuity and love of mischief of the race. The "system," appeared to me here admirably shown on a small scale, and it worked well. The rascals munched and sprang, chattered and scratched their tails with the utmost glee; and I sat enjoying the sight a half hour before I saw them mope, or thought I could hear a whining cry or syllable about inalienable rights, constitutions, or any such nonsense.

One of these animals was the most human that I have yet seen. His forehead and cheeks were white and smooth, his wrinkled brow, his gray whiskers, his ears of exact human conformation, his clear dark eyes, and

whimsically serious look, startled me. I fancied I saw an imp, and was relieved in observing the thumbs upon his feet, and the inefficient monkey organization of his hands.

While I stood looking at him and trying to extract from him something that might "mend or break a faith," as Byron says, the Princess passed from the garden through the next room toward her apartment, and looked into the door to see how her subjects thrived; but seeing an ourang in their company, she moved away; perhaps she detected the air democratic. She's now a portly lady, with an agreeable face and lofty carriage. This was more than I had bargained for. I felt that I was in luck.

My friend had told me that I should probably find a number of persons with the Prince, and that I should merely have the honor of making my bow, and seeing him talk to others. He now came to me in haste, told me that the Prince had no one except the British Ambassador with him, and that I must be presented. I confess that I felt very silly. The idea of going to a man of 73 or 74, who has an empire on his shoulders, without having anything to say, or even to ask, is rather impertinent. I felt that the type *badaud* was incarnate in my person and suffered. I had just time to remember that jackasses were no novelty to the Prince, and trusting to his sagacity to divine my object and pity it, I pushed on. The Prince is a fine looking old man, very erect, his head is covered with white hair, which I much admire. I like to see the whole man grow old gracefully, without falling to pieces. He speaks French purely and well, not like a Frenchman, but like a German who knows the language, with a graceful effort at distinctness.

It is a rare sight, that of successful talent dictating to Europe at an age when the poet consigns us to the lean and slippered pantaloon; but I remembered having heard old Mr. Adams thunder in the House, during the winter of '43, and if Metternich awed me, the Yankee veteran filled my eyes with tears, and stirred all my blood as with the sound of a trumpet.

I was saved a part of my merited punishment; the questions of the Prince carried the conversation at once to Grafenberg and Priessnitz, and the Water-cure. He expressed a great interest in the subject, and a great admiration for P. "I have myself known of several very wonderful cures performed there," said he. I felt at home on this subject, and during the few minutes that I conversed with the Prince, this was the only topic touched.

I was presented, also, to Sir R. Gordon; he had but time to say one word to me, and in that word he let me know that my name and residence were known to him. I have so often met Englishmen with exactly the contrary result, that I felt refreshed. Who are you, sir? if not insultingly asked, is but too often impolitely looked, by the self-constituted patterns of refinement.

I walked out of that house with a feeling that many a plenipotentiary might envy; the feeling that I had got all I came for, and more, and the confidence that no one would know of my visit, unless I told it. At the door I saw an Austrian friend passing—he smiled. "Have you seen the Prince?" whispered he. "Yes." "Come with me;" and taking me round the palace, he showed me a range of low buildings, on which the Prince has made a garden. "There," said he, "what think you is kept in those hovels, dripping as you see with water. The Archives!! In ten years more the devil himself won't be able to read them." The Prince beats Louis XV.; he used to say, "*après* moi le déluge."

This is not merely a soi-disant paternal government. His own subjects, nay, English Tory writers, make very pretty phrases to the same effect. Whether this must be taken as a confession that the nation is in the minority, I will not venture to say; but to my American eyes, there appears more of childishness in the people than of fatherly love, wisdom, and strength, in the rulers. He who expects to see the tyranny of the melo-drama in Austria, will find himself deceived. I have never seen a reigning family received every where with more cordiality. If they appear as such, they are openly greeted, and receive every mark of respect. This is carried, I think, too far; for I cannot conceive that the duty of answering every bow, from the Burg to

the end of the Prater and back again, can be other than extremely tiresome. But if they walk the street incognito, they are neither insulted by impertinent curiosity, nor annoyed and embarrassed by ill-timed demonstrations of loyalty. There the Austrians show more tact, and better taste and feeling, than the free and enlightened subjects of Queen Victoria.

One is constantly asking one's self what can be the motive for so many troops of all sorts, amid a population so devoted, around a throne so cherished. You are constantly conscious of the presence of brute force. The bright musket gleams every where in your eyes. The cannon stands in the palace-yard, and looks, as Lord Aberdeen tells us Yankees, "fully prepared"—"never better prepared." The livery of slaughter, in all its picturesque varietjes, is omnipresent. Such a combination of love and gunpowder, of affection and bayonets, I have not yet seen.

There is something very rich in the spectacle of the genteel and sleek impersonation of a system which one has long since judged by its fruits, and not by its foliage. Perhaps the richest treat of this sort, is a little personal intercourse with a future monarch, well-bred, well-read, and of perfect *bon ton*. What can be cleaner than a very young pig? what more playful and debonnaire than a sucking tiger? There is a sort of positive pleasure in passing through your hands those promising paws, in slipping your thumb between those placid lips, and getting it out again so easily!

I had already seen the paternal government, on a small scale, in Tuscany, and admired it exceedingly. I might have thought it all that certain foreigners claim it to be, but for an awkward accident or two. When the ordinances of July were hatched, the Grand Duke went away; and when the Cholera came to pay a visit in the "felicissimi stati," the populace suspected poison, ordered by the government. This last, to my mind, was conclusive. This cherished family, who have been taught from infancy to look upon their sovereign as the incarnation of paternal justice and love combined, feeling themselves attacked by a mysterious destructive agent, turned eyes of suspicion—on whom? Upon the heretics, of whom there were several thousands in their town? Upon the Turks, those old enemies of all that is christian and civilized? No—upon their beloved father, whose entrance at the theatre is greeted by a roar of all the office-holders in the Grand Duchy, and who is seen to take the holy sacrament in public twice or thrice a year. Talk not of ignorance—ignorance produced no such fruit among our American people. Say rather that in that moment, when fear counterbalanced fear, the people proved that with all their ignorance, they knew where to look for the origin of mischief as well as good, and that they had the habit of so doing. If man stands between man and his God, and usurps the power of conferring certain blessings, what more natural than that his protegé, finding a curse in his house, should attribute it to that very man?

I have heard of a young nobleman, an Austrian subject, who, grown up the great man of a province, found himself, at the age of twenty-five, more than half a Protestant and quite a liberal. This was a sort of lusus-naturæ surely. He wrote a little, talked a good deal, and was heard of. Being at Vienna on a visit, he received an intimation that a certain great personage wished to communicate with him; one of those polite and gentle invitations which make your continental Mirabeau perspire at the same time that he feels any thing but warm. The young man made a virtue of necessity, and he obeyed the summons. After an hour's chewing the cud of sweet and bitter fancy in an ante-room, he was called into the presence, and found himself alone with a very polite white-headed old gentleman, who sat writing at a most official and imperial table. A bland smile passed over the experienced features as they confronted the would-be liberal. He motioned to the young man to be seated; and, after looking him long and calmly in the face, he began: "There are things, my young friend, which, though done in the dark, are known." A pause. "I have reason to fear, that notwithstanding the excellent education you have received, and in spite of the apparent health which you enjoy, that you are misled and unwell." A pause, after which the young man blundered out his sense of gratitude for the interest shown in his welfare, and announced

his intention of retiring to his estates and minding his own business. "Do not so, my young friend; remain here for a season. Observe our government, and study our institutions; you will not find them perhaps perfect, but—but very firmly established. This city offers many advantages to a man of your birth and fortune; to a man of your age it will prove an agreeable school. Nor will your activity and energy lack for objects—charming objects, my young friend—quite within your reach, believe. I have some experience—believe me you will neither lack emotions, nor will your cares be thrown away—cares more in harmony with your age and attainments than those to which you have aspired—cares leading to tender triumphs instead of defeat, disgrace and disaster. Adieu, my young friend; when next we meet, I feel a hope that we shall be able to converse on a subject more agreeable—to us both." He was not mistaken. That young man is now a zealous Catholic, and a Chamberlain.

I had the anecdote from a source which I regard as unquestionable.

In order to have a really paternal government, one must be sure of a sovereign as superior to his people in wisdom and experience, as a father is superior to his children; and he must unite with that wisdom a love which no man ever felt for a body of men whom he is taught to regard as his inferiors. Macaulay has stated this truth so beautifully that I regret that I don't recollect his words.

I should be very unhappy if I were born the subject of a government which, persevering in disproportionate expenditure, and contracting a debt of vengeance with oppressed provinces, took my money to keep up its credit, and my offspring to support its military denomination. If I was called on by my intelligence to see all this; and by my duty as a subject to see it in silence, I fear that I should not be equal to the two conditions, thus combined against my equanimity. The Turks are not the greatest fatalists now.

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### BY THEIR FRUITS YE SHALL KNOW THEM.

Forming my notions of France mainly from information gotten through English books, I approached that kingdom with a sort of holy horror. I was to see a country, which, after centuries of regular government and steady advances in science, had on a sudden become wild, savage and ungovernable—a country which, to use a metaphor truly English at that time, had "got drunk with blood, to vomit crime." When I recounted in imagination the horrors of the Revolution, the bloody tyranny of Bonaparte, the treasures squandered in imperial display, sunk in the plains of Russia, or paid to restoring nobility, I asked myself what must be the misery, the dejection, the corruption of a people who had so recently received such tuition at such a price. What was my amazement to find France filled with an active, industrious, intelligent population, as rich as if nothing had happened, and so far from sick of fighting, that it required much management to prevent their beginning again?

When I looked a little into the organization of the country, I found not the less to my surprise, that the general well-being of the population, the true source of its increase and vigor, was to be attributed to the subdivision of the property in land, that land of which the church of Christ before held so much, not to improve, but to paralyze it. I found that the interests of the masses had often a hearing in the councils of the government, and that the same French farmers, formerly so apt in exchanging the flail for the sabre, to defend the honor, or give lust to the name of the Grand Monarque, were now quite as ready to do it for their own independence, and for the security of their homestead and their glebe. With all the disposition in the world to find the heroes of ninety-eight, madmen and scoundrels, I could not forget those words, "By their fruits ye shall know them."

Not long after this lesson in history, I walked the streets of Florence, those

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streets during ages of factious democracy so often running red with the best blood of the republic. I stood before those gigantic structures born of the wealth of Europe and of the Florentine genius and will, and I asked myself how is it that three centuries of "regular government" have ended in a dwindled population, political nullity and social corruption. The churches were filled on holidays—yet was there not much of what we call religion. Hospitals of all kinds seemed to forbid the poorest man to suffer unaided—labor in request, yet provisions cheap, and yet much misery, much sullen dying alone in dark corners, much distrust of man, much disbelief in God himself. "By their fruits ye shall know them," thought I. Without venturing to say that the republic was good, I will be bold to affirm that it was better than any thing that Florence has since seen, for though it may be horrid to kill people, it is still worse to prevent them being born.

When the Spaniards landed on the Mexican shores, they found a flourishing empire. Millions of men were living there in a sort of civilized state. The population was dense, and 30,000 victims were sacrificed annually to the only God those people knew, expediency. The Spaniards, filled with holy horror at the sight of so much blood and guilt and gold, slaughtered these demi-savages by hundreds of thousands —took their gold, destroyed their bloody altars, and converted them to the doctrines of love and mercy. These doctrines, the whip and the gibbet, have left the actual cumberers of the ground in Mexico as the sole vestige of a noble and warlike race, as skilled in tillage as they were cunning in manufacture, and bearing in their social state all the embryo of a high civilization.

Whatever we may think of the barbarity of the Mexicans, if we will scrutinize modern nations, we shall find that there is not one of them who has not altars, whether of Plutus or Christ, on which the victims are—not, it is true, suddenly sacrificed—but on which their hearts are slowly crushed. We do not pretend to get rid of blood and pain as the impost paid for government; we only mask the motive for enacting it, and hide the engines by which it is wrung from suffering men. The amount of eloquence as well as logic which have been employed in blackening the memory of the men who, sick of quackery, called surgery to the aid of France, is overwhelming. How much partial reasoning, how much one-sided truth, how much honest nonsense, how much fear under the masks of piety and faith. When Louis the XV. sat at table between a w—— and a bishop, these people see only a proof that courts are not patriarchal and pure. When the noble family of Fontanges bring up their daughter, malice prepense, with the ambition of her becoming one day the mistress of Louis XIV., it is but one instance of degrading vice. The groaning millions, the light crushed beneath the foot of soldiers, or shut up by lettres-de-cachet, all this woe and wrong is organized and regular, and makes no stain on the page. The progress of nations in liberty is like rail-road travelling; here and there you will see a train off the track, and a great amount of suffering and of sacrifice, but calculation has shown, that 'in the aggregate' man suffers less than in the old system. Nobody used to count the heads broken on the highway, and the groans by the road side. A coach capsized was a laughing matter to many, even the passengers. We play for higher stakes in free countries.

*Florence.* H. G.

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## EVERETT'S ESSAYS.*

Mr. Everett is one of that class of men, the growth of thirty continuous years of comparative peace, now enjoyed by Christendom, who, to eminent natural endowments and high literary cultivation, add the qualities and the distinction of a practical statesman. For, if the great nations of Europe and America have, some of them, been more or less engaged, during the present generation, in conflict with the barbarian or semi-civilized races around them,—and if others have seen their own soil stained by civil blood-shed,—yet they have been withheld from mutual hostilities, until the empire of the Voice and the Pen has almost superseded that of the Sword; and Mind has found a nobler and more congenial field of ambition in the arts and accomplishments of Peace, rather than of War. Thus it is, that, to names like those of Lord John Russell and Macaulay in England, or Guizot and Thiers in France, we may, on our part, point to those of Bancroft, of Irving, and of the two Everetts, as alike conspicuous in literature and in public life.

Known already by his grave and elaborate works on Europe and America, Mr. Everett will acquire additional reputation by this collection of Critical and Miscellaneous Essays. Familiar with the languages and the literature of modern as of ancient Europe, thoroughly imbued with the principles of a pure and correct taste, possessed of a discriminative and exact judgment, and with a style at once vigorous, clear, expressive, and faultlessly elegant, Mr. Everett has, in this volume, laid before us a series of most instructive and agreeable literary disquisitions, on Sévigné, Le Sage, St. Pierre, Corneille, Racine, Voltaire, Canova, Schiller, Mackintosh, and Cicero, among other subjects; and, in a small collection of fugitive pieces subjoined to the Essays, has shown that he is a successful worshipper of the poetic Muse.

We have alluded to the fact, common in the time of the Greek and Roman Republics, and still more in those of modern Italy, that, in our day, men of literary accomplishments and fame take their due share in affairs of government. We quote, from the essay on Madame de Sévigné, a passage, in which Mr. Everett exhibits in a forcible light the durability of reputation, which a high order of literary merit confers on its possessor.

"We cannot but notice in conclusion,—if we may venture to tack a trite moral to a tedious tale—the strong impression that remains upon the mind after a glance at the period of Louis XIV., of the prodigious superiority of literary talent over every other exercise of intellect, as a means of conferring permanent distinction on its possessors and all with whom they are connected. The age of Louis XIV. is universally considered as one of the brightest periods in the history of civilization. What gave it this splendid pre-eminence? Louis XIV. himself, although, as Madame de Sévigné justly remarks, he possessed great qualities and eclipsed the glory of most of his predecessors, now comes in for a very moderate share of the attention we bestow on the time in which he lived. His generals, Conde, Turenne, Luxemburg, and the rest,—unquestionably men of distinguished talent,—were yet in no way superior to the thunderbolts of war that have wasted mankind from age to age and are now forgotten. His ministers, Foquet, Colbert, Louvois, have left no marked traces in history. The celebrated beauties that charmed all eyes at the Court festivals have long since mouldered into dust. Yet we still cling with the deepest interest to the memory of the age of Louis XIV., because it was the age of Pascal and Corneille, of Racine, Moliere, and La Fontaine, of Bossuet, Fenelon, Bourdaloue, Massillon, La Bruyére, La Rochefoucault and Madame de Sévigné. The time will probably come, in the progress of civilization, when the military and civic glories of this period will be still more lightly, because more correctly estimated, than they are now:—when the King, who could make war upon Holland, because he was offended by the device of a burgomaster's

* Critical and Miscellaneous Essays. To which are added a few Poems. By Alexander H. Everett. Boston, 1845; James Munroe & Co.; pp. 563.

seal, and the general who burnt the Palatinate in cold blood, will be looked upon,—with all their refinement and merit of a certain kind,—as belonging essentially to the same class of semi-barbarians with the Tamerlanes and Attilas, the Rolands and the Red Jackets:—when the Fouquets and Colberts will be considered as possessing a moral value very little higher than that of the squirrels and snakes, which they not inappropriately assumed as their emblems. But the maxims of La Rochefoucault will never lose their point nor the poetry of Racine its charm. The graceful eloquence of Fenelon will flow for ever through the pages of Telemachus, and the latest posterity will listen with as much, or even greater pleasure than their contemporaries to the discourses of Bossuet and Massillon. The masterly productions of these great men, and their illustrious contemporaries, will perpetuate to the 'last syllable of recorded time' the celebrity which they originally conferred upon the period when they lived, and crown with a light of perennial and unfading glory the age of Louis XIV.

In the essay entitled, 'Who Wrote Gil Blas?' Mr. Everett discusses one of the most curious questions in literary history; and one, which, as the controversy proceeds, becomes a question of national rivalry between France and Spain,—namely, whether Le Sage was the *author* of Gil Blas, or the *translator* only of the manuscript work of some unknown Spanish author, which by whatever means had come into possession of Le Sage. What renders the inquiry one of peculiar interest, is the consideration, that the discussion turns almost wholly on points of internal evidence. Gil Blas is a work so emphatically Spanish,—it enters so completely into the personal history, the manners, the habits of thought, and the distinctive nationality, of the Spaniards,—it is in such perfect *keeping*,—as to suggest the *impossibility* of its having been written in the first instance by any but a Spaniard; or, if by a foreigner, one rendered thoroughly Spanish by long residence and intellectual naturalization, as it were, in Spain. On the other hand, as Le Sage does not appear ever to have visited Spain even, if he did write Gil Blas himself, this, its perfect keeping, which constitutes its great excellence, furnishes the strongest possible proof of the extraordinary merits of Le Sage. Whilst analyzing the arguments on both sides of the question, adduced by others, Mr. Everett is able to throw much light from his own personal knowledge and observation in Spain; and we agree with him, that the internal evidence, derived from the general exactness of the minute details, in Gil Blas, and still more from the nature of some of its errors in such minute matters of fact, is all but conclusive in favor of its Spanish origin. And the character of the Bachelor of Salamanca, afterwards published, and which Le Sage professes he derived from an unpublished Spanish manuscript, betrays the source from which he drew the materials of Gil Blas.

The reader of Paul and Virginia would little suspect that St. Pierre had passed the best of his years in a great variety of strange adventures and visionary projects; and that it was only later in life that he produced the Studies of Nature, and that beautiful little picture of tropical scenery, of love, and of devotion, which is now a classic in every language of Europe. And the story of the production of Paul and Virginia, is a striking example of the frequent erroneousness of first judgment in matters of literature. For it seems that, on reading his manuscript to a circle of friends, such as Buffon, Thomas, and others of the most distinguished and enlightened persons, he had the chagrin to hear and see it as signally *damned* as ever was a bad comedy on the stage; and it was not until afterwards, when he read it to Vernet, that he was encouraged, by the painter's truer appreciation of beauty and feeling, to believe, that he had produced a work that was destined to receive universal admiration.

Mr. Everett's remarks on Sévigné, Bernardin de St. Pierre, Voltaire, Le Sage, and the French dramatists, are characterized, not only by great good sense and acuteness, but also by a vein of quiet humor and pleasant anecdote, which delightfully relieve the gravity of critical disquisition. Some of the witticisms which occur, from time to time, are exquisite. Thus, Ninon de l'Enclos described the young Marquis de Sévigné, as a lump of *fricasseed snow*. The Abbé de Polignac arrived at Paris on some occasion, when he was expected to bring certain papal bulls from Rome, but which proved to

be merely preliminary articles, 'Ces ne sont pas des bulles qu'il apporte,' said Madame de Cornuel, 'mais des préambules.' And the following passage, on the false and foppish gallantry of the old French drama, is especially just and amusing:

"The great fault with the heroes of Corneille, and in some degree, though not so much, with those of Racine and Voltaire, is that they always express their passion and make love to their mistresses in conventional phrases and metaphors which were always extravagant and have long been ridiculous. They talk of the *beaux yeux*, the *divins appas* of their beloved. They represent themselves as loaded with chains and pierced through with arrows. Julius Cesar tells Cleopatra, that it was the influence of her fine eyes that enabled him to gain the battle of Pharsalia and the empire of the world.

Vos beaux yeux enfin m'ayant fait soupirer,
Pour faire que votre âme avec gloire y réponde
M'ont rendu le prémier et de Rome, et du monde.

The honest Professor with all his admiration for Corneille is somewhat scandalized at this *tirade*. *In good earnest*, says he, *did Cesar think and talk in this way? Is it not rather the style of Don Quixote addressing his dulcinea?* At other times however he makes a lame apology for this jargon, by putting it to the account of the fashion of the times. Corneille, says he, gave his heroes that noble gallantry which was in vogue at the time of the Fronde. Love was then mingled with all the political intrigues, and produced important events. The princes and nobles of the court had each his mistress. The Duke de Beaufort was the lover of Madame de Montbazon; La Rochefoucault was at the feet of Madame de Longueville; Mademoiselle de Chevreuse ruled the Coadjutor (de Retz;) the Duke de Bellegarde, when he went to the army, begged the favour of the Queen to touch the hilt of his sword; M. de Châtillon wore on his arm in battle one of Mademoiselle de Guerchi's garters. Conversation was filled with the most extravagant language of gallantry. It was the spirit of the age. The women then gave the tone at the theatre and in the world; and the language that we now think flat and silly, charmed all the *précieuses* of the time. Sovereigns are never disgusted with the grossest flattery; and these ladies, who were fully persuaded, because they were constantly assured of it, that they exercised a sovereign, not to say divine power over their adorers, could see nothing ridiculous in all the jargon of sighs, languishments, flames, and torments, which we now laugh at, even at the opera. They thought it perfectly natural that their eyes should be stars, suns, and gods; that their complexion should put to shame the rose and lily, and that a single glance should decide the fate of their slaves, &c.

*Au reste*, the phrase *beaux yeux* is so much used in France, that a certain Polish Countess, who had learned what little French she knew by rote, and was confined at home soon after her arrival at Paris by an attack of ophthalmia, replied with a perfect readiness to an inquiry after her health, *J'ai mal à mes beaux yeux*, supposing in the simplicity of her heart that *fine eyes* was the appropriate name of the feature in question. The narrator adds in the gallant French style, that as she was young and handsome, the mistake was of no great consequence.

The couplet in which the Duke de La Rochefoucault, (so celebrated for his maxims and his misanthropy, which does not seem, like that of Hamlet, to have included the fair sex) commemorates his passion for the fine eyes of Madame de Longueville, has been often cited;

Pour mériter son cœur, pour plaire à ses beaux yeux,
J'ai fait la guerre aux rois—je l'aurois faite aux dieux.

Of this lighter style of composition, however, the happiest example in the book is the essay entitled, "The Art of being Happy," in which, while exposing, with keen but good-tempered raillery, the absurdities of a foolish book by M. Droz on this subject, Mr. Everett, in opposition to the arguments of the former in favor of idleness and contempt of public opinion, maintains that a vigilant pursuit of an honest occupation, and a decent regard for the judgment of those around us, are among the most effective means that we can employ, for the attainment of happiness.

The essays on "Sir James Mackintosh," and "Cicero on Government," and the "Dialogue on Government," are full of instructive and interesting ideas on controverted points of ethical and political philosophy, to which we have but space for this general reference. The longest of the essays, entitled "Chinese Manners," founded on a Chinese novel written by Abel Remusat, was written, when Mr. Everett could little have anticipated that he would himself one day have the opportunity of visiting China with all the facilities of observation possessed by the representative of his own in a

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foreign country, and will be read with more curiosity because of the attention which late events have drawn to the character and condition of the Chinese Empire. We extract a single passage on the political system of China.

As respects the political institutions of the empire, it appears from the above extract, and from the more ample information to the same effect contained in the works of the missionaries, that, although entirely different from any of those that are established in the Western world, they will perhaps bear a comparison with the best of them. The great problem in politics is to reconcile the liberty of the people with a tranquil, wise, and vigorous administration of their common concerns; and experience seems to show, that it can only be solved by providing for a large, regular, and frequent intervention of the body of the community in the conduct of the government. The existence of such an intervention forms the substance of what we consider the great modern improvements in political science, as exemplified in the representative constitutions of Europe, and especially of these United States. This intervention is effected in our system, by securing to a certain number of the citizens the right of designating the public functionaries. The same intervention appears to exist in China to an extent at least as great with us, and far greater than in any other Christian community; but to be managed on the different principle of securing to every citizen the right of exhibiting his qualifications for filling public offices before a competent tribunal, and the possession of any office for which he can prove himself to be qualified. It is evident that both these methods provide for bringing in activity the whole talent, knowledge, and virtue of the community, and prevent the stagnation and exhaustion that regularly take place, when the power is monopolized by one or more privileged families.

To decide which of the two systems is, on the whole, preferable in its operation, and which is least liable to abuse, is of course beyond the scope of the present cursory notice. Each has, doubtless, its peculiar advantages and defects. While we are naturally inclined, by our national prejudices, to assign to our own form of government, the superiority over every other, we may perhaps be permitted, as humble labourers in the field of letters, to look with some degree of complacency upon a constitution, which makes literary distinction the only title to advancement, and thus realizes the latter part of the famous alternative proposed by Plato, as the *sine qua non* of a wise administration of government, that kings should become philosophers or philosophers be made kings. Had this system been proposed in any abstract treatise on civil polity, we incline to think, that it would have been generally viewed as the most beautiful theory that had ever been invented, but as a wholly impracticable and visionary one. A longer experience, than any other form of government has ever been subjected to, has satisfactorily proved that it *works well*. While we are among those who profess to entertain the most sanguine expectations as to the prospects of our own country, we should be glad to feel perfectly certain, that our institutions would stand the test of two thousand years' trial, as well as those of China have done already.

In conclusion, we have to express the high gratification we have received from the reperusal of these essays, in collecting which from the periodical works in which they originally appeared, and thus rendering them more accessible to the general reader, the publishers have done a service to the literary community, as in the correspondent cases of Mr. Macaulay's and Mr. Prescott's "Miscellanies;" and we trust the same good office will be performed ere long in behalf of similar writings of Mr. Edward Everett and other contributors to the periodical literature of the United States.

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# THE GAME OF NORTH AMERICA:

## ITS NOMENCLATURE, HABITS, HAUNTS, AND SEASONS; WITH HINTS ON THE SCIENCE OF WOODCRAFT.

BY FRANK FORESTER.

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### No. III.

### THE QUAIL.

*Tetrao Coturnix.* LIN. *Coturnix Virginianus.* LATHAM. *Ortyx Virginianus,* SIR WILLIAM JARDINE. *The quail,* of the eastern and middle, *the partridge* of the southern states. This beautiful little bird affords one of the most remarkable examples of those errors and confusions, in the nomenclature of game, to which I alluded in the first paper of this series, as being so general in this country. It would appear, indeed, at first sight, and I suspect not quite untruly, that we have derived the names of all our game, and many of our common song-birds, from the rude and unpolished men who, for the most part, first settled the woodlands of the United States, and who, from a desire to cultivate some pleasant memories of home in their new country, gave to such varieties as they found here, having the slightest affinity to the unforgotten animals of Europe, names often incongruous and unfitting. This bird is one of the instances in question; and consequently, we find that it has, in fact, no name at all in the United States—its appellation being made to depend altogether on that of another bird in no wise connected with it—the ruffed grouse, namely, *tetrao umbellus;* which it has pleased the original nomenclators to call variously *partridge* and *pheasant,* to neither of which species does it bear much more resemblance than does an owl to a woodcock, or a game-fowl to a turkey.

Where the ruffed grouse is called a partridge, the bird of which we are now speaking is called a quail—only, I believe, because it is smaller than the other, and because, in England, the quail is the next gallinaceous fowl in size after the partridge. Where the ruffed grouse is called the pheasant, our bird becomes the partridge, from precisely the same analogy in size, and in that only, to European game.

With regard to the ruffed grouse, there can be no question for a moment by what name he should be called; for he is a distinct variety of a well-known genus—several varieties being found in the United States, and yet others in the British possessions and the Oregon territory. He is neither partridge nor pheasant, but a distinct feather-legged grouse, and properly called *ruffed* or *tippet grouse,* from the beautiful long neck feathers, which, though pendulous in the unexcited state of the bird, are set up in the form of a magnificent ruff, while the tail is fanned like that of the peacock or turkey, by the amorous male during the breeding season. It is, therefore, equally unsportsman-like and unscientific to call the bird pheasant or partridge; and it is moreover as needless as it is a stupid barbarism, since the bird has an excellent good name of its own, by which it should invariably be styled, whether in writing or in conversation, by every one claiming to share the spirit of the gentle sportsman.

As concerns our little friend, whom I judge it best to designate as *quail*—for reasons which I will briefly give hereafter—this is not altogether the case; for, singular as it may appear, he is so unfortunate as to possess no legitimate or scientific English name

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whatever. Formerly, he was classed by naturalists as a variety of the quail—*Tetrao Coturnix* of Linnæus—and as such was denominated *Coturnix Virginianus*, Virginia quail, owing to the fact, doubtless, that in Virginia he was found most abundantly, perhaps *only*, on the first landing of English settlers in America.

It has been, however, more recently determined, and I presume correctly, that this bird is not a variety of quail, but a distinct species, peculiar to the New World, and situate about midway between the tribes of partridges and quails; and the investigators of these differences, which consist in the greater hardness and peculiar shape of the bill in the American bird, and in some dissimilarity in the shape of the wing, have agreed to designate the new variety, scientifically, as *ortyx Virginianus*, but have assigned to him no name whatever in the vernacular.

I may here be permitted to observe, that the new term, *ortyx*, as a designation of a new genus, or sub-genus, is absurdly ill-chosen; since the old name, *coturnix Virginianus*, signifies Virginian quail, in *Latin*, while *Ortyx Virginianus* signifies precisely the same thing in *Latinized Greek*.

Now, it is partly for this reason that I would retain the old English name of *quail*, in preference to that of partridge, for this American species; since I consider the choice of the title, by the distinguished naturalists who have adopted the designation *ortyx*, to indicate that the bird is, in their opinion, more nearly allied to the quail than to the partridge.

Again, the size, weight, haunts, and habits, of the American bird, all very nearly resemble those of the European quail; while they are exceedingly unlike those of the European partridges, of which there are two varieties—the Gray, or English, and the red-legged, or French species.

The American bird is, perhaps, an ounce heavier than the European quail, while it is full one-half lighter than either of the partridges. The American bird, like the European quail, frequents bushy ground, and the skirts of woodland, and often takes to the tree, and perches. The European partridges, are very rarely found in the shrubbery or coppice, and are never known to perch. The American bird, like the European quail, is migratory. The European partridge never removes, unless in consequence of unrelenting pursuit, far from the fields on which he is bred; and lastly, the cry, the flight, and the plumage, of the American bird, very closely resemble those of his compeer, the quail of Europe.

Hence I consider *Quail* to be his correct name, in common parlance; I should wish to see *American Quail* adopted as his title in works on ornithology; and I sincerely trust that I shall live to see one general name, and that name *quail*, adopted by all sportsmen in the United States, thereby avoiding the palpable absurdity of shooting, I will suppose, twenty of these birds, and two or three ruffed grouse, in the morning, in New-Jersey—the former being quails, and the latter partridges; and, in the afternoon, walking across a bridge over the Delaware, and shooting more birds of each kind in Pennsylvania, which shall there and then have become partridges and *pheasants*. Heaven save the mark! When it is as clear as day, that there is not a single variety of partridge or pheasant to be found on the whole continent of America, North and South.

The pheasant is an Asiatic bird, like the peacock; originally found on the southern shores of the Black Sea, and thence imported into Europe, where it has thriven wonderfully; so that in Germany and France, and yet more so in England, it has become indigenous and abundant. Many attempts have been made to naturalize it in this country, but entirely without success; owing, I fancy, to the want of moisture in the climate, and to the summer droughts, rather than to the severity of the winter season.

Having premised thus much concerning his name, I will describe our bird briefly, and then proceed to his habits and haunts, which are both curious and interesting; and indicative of a higher degree of instinct than is usual to birds of this tribe, and seemingly more nearly allied to reason.

The quail is about nine inches in length, from the tip of the bill to the extremity of the toes, by twelve in width, from wing to wing, when extended. Though apparently much smaller than the woodcock, he is not much lighter,

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for not only are his feathers closer and more compact, but he is rounder and plumper in proportion to his length; and when well-grown and full-fed, weighs from seven to nine ounces, although he rarely attains the maximum.

His bill is strong and horny, the upper mandible considerably arched; and the whole instrument constituting an apparatus calculated to break the shells of the hardest seeds, and even the kernels of hips and haws, as well as a weapon capable of inflicting severe wounds on his rivals; for he is scarcely less pugnacious than the gamecock; and is still kept for the same purpose by the Chinese and Malays, as he was of old by the polished democrats of Athens.

His eye is large, black, and very lively. The back of his head, neck, shoulders, wing-coverts, and rump, are all beautifully mottled with brown, black, and chesnut, each feather having a yellowish margin, and a dark irregular line, diverging from the point towards the stem. The quills and tail are of a rich reddish brown, broadly barred with black.

In the cock-bird, the cheeks and chin are snow-white, with the exception of a dark streak, running upward from the angle of the eyes. In the hen they are a bright ochreous yellow. The breast, in both, is white, freckled with wavy lines of black, something like arrow-heads in shape, pointing downward toward the vent; the legs are protected by strong scales, of an olive brown, and the male bird has rather a formidable spur.

Otherwise there is no distinction between the sexes, which are similar in size and shape; except, perhaps, that the colors of the hen are somewhat less vivid and distinct than those of the male, as is generally the case in the animal creation.

It will be seen at once, from this description, that our American quail is a most beautiful little bird; but his beauties do not consist merely in his plumage, but in his gait, his pretty pert movements, his great vivacity, his joyous attitudes, his constant and cheerful activity.

He is in all respects the most social, the merriest, and most amiable, of his tribe. During the breeding season, he alone, of the gallinaceous tribe, makes wood and mead resound with his shrill, merry whistle—whence our country folk have framed to him a name, *Bob White*, from some fancied similarity of sound—cheering his faithful partner during the toils of incubation.

Afterward, when the bevies are collected, as he runs from the huddle in which he has passed the night, he salutes his brethren, perhaps thanks his Creator for the pleasant dawn, with the most cheerful noise that can be fancied, a short, quick, happy chirping, "and seems to be," to borrow the words of the inimitable Audubon,—I quote from memory alone,—"the happiest little creature in the universe."

Unlike the young broods of the woodcock, which are mute, save the twitter with which they rise, the bevies of quail appear to be attached to each other by tender affection. If dispersed by accidental causes, either in pursuit of their food, or from being flushed by some casual intruder, so soon as their first alarm has passed over, they begin calling to each other with a small plaintive note, quite different from the amorous whistle of the male bird, and from their merry day-break cheeping, and, each one running toward the sound and repeating it at intervals, they soon collect themselves together into one happy little family, the circle of which remains unbroken, until the next spring, with the genial weather, brings matrimonial ardors, pairing and courtship, and the hope of future bevies.

If, however, the ruthless sportsman have been among them, with his well-trained setter and unerring gun, so that death has sorely thinned their numbers, they will protract their little call for their lost comrades, even to night-fall; and, in such cases—I know not if it be fancy on my part—there has often seemed to me to be an unusual degree of melancholy in their wailing whistle.

Once this struck me especially. I had found a small bevy of thirteen birds in an orchard, close to a house in which I was passing a portion of the summer, and in a very few minutes killed twelve of them, for they lay hard in the tedded clover, and it was perfectly open shooting. The thirteenth and last bird, rising with two others, which I killed right and left, flew but a short distance and dropped among some sumachs in the corner of a rail-fence. I could have shot

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him certainly enough, but some undefined feeling induced me to call my dogs to heel and spare his little life; yet, afterwards, I almost regretted what I certainly intended at the time to be mercy; for day after day, so long as I remained in the country, I heard his sad call from morn till dewy eve, crying for his departed friends, and full, apparently, of memory, which is, alas! but too often another name for sorrow.

The quail is not only the most sociable of his tribe in reference to his fellows, but is by far the most tameable and friendly in his disposition as regards the general enemy and universal tyrant—man.

In the winter season, when the ground is so deeply covered with snow as to render it impossible for them to obtain their customary food, the seeds, namely, of the various grasses which they love the most, or the grains which lie scattered in the stubbles, they come naturally into the vicinity of man's dwellings, and it is by no means an unusual sight to perceive them running about among the domestic fowls in the barn-yard, and flying up, if suddenly disturbed, to perch under the rafters of some barn or out-house, seemingly fearless and confident in such seasons of protection.

At this moment, I have a bevy of thirteen birds, lying within three or four hundred yards of the room in which I sit writing, under the shelter of a rough wooded bank, whereon I have been feeding them with buck-wheat since the heavy snows have fallen, and they have now become so tame that they will allow me to approach within 20 paces of the spot where they are fed—running about and picking up the triangular seeds, perfectly unconcerned at my presence. As soon, however, as the spring shall have commenced, and the bevy separated themselves into pairs, their wild habits will return upon them and I shall see no more of my little friends, until I meet them next autumn in the brown stubble-field, no longer in the light of a protector.

The quail pairs early in the month of February, if the winter have been a mild one, and the ground at that period is free from its snowy winter covering; if, on the contrary, the spring be late and backward, his courtship is deferred until March—sometimes even so late as to the beginning of April.

As soon as he has chosen to himself a mate, the happy pair retreat to wide, open, rushy meadows, where the conformation of the country affords them such retirement, among the tussocks of which they love to bask in the soft spring sunshine. Where the land is higher, and is broken into knolls and gulleys, you will find them at this season on the grassy banks beside some sheltered hedgerow, or along the green and shrubby margin of some sequestered retreat, but never in thick woodlands, and rarely in open fields.

Most birds, so soon as they have paired, proceed at once to the duties of nidification and the rearing of their young; it seems to me, however, that the quail spends some time in pairs before proceeding to this task; for I have frequently seen them paired so early as the twentieth of February; yet I have never found the hen sitting, or a nest with eggs in it, during spring snipe shooting, though I have often flushed the paired birds on the same ground with the long-billed emigrants.

I have never, indeed, seen a quail's nest earlier than the middle of May, and have often found them sitting so late as the end of July.

Their nest is inartificial, made of grasses, and situate, for the most part, under the shelter of a stump or tussock in some wild meadow, or near the bushy margin of some clover-field or orchard. The hen lays from ten to two-and-twenty eggs; and is relieved at times, in hatching them, by the male bird; who constantly keeps guard around her, now sitting on the bough of the nearest tree, now perched on the top rail of a snake fence, making the woods and hills resound with his loud and cheery whistle.

The period of the quail's incubation I do not know correctly; the young birds run the moment they burst from the egg; and it is not uncommon to see them tripping about with pieces of the shell adhering to their backs.

The first brood hatched, and fairly on foot, the hen proceeds at once to the preparation of a second nest; and committing the care of the early younglings to her mate, or rather dividing with him the duties of rearing the first and hatching the second brood, she devotes herself incessantly to her maternal duties.

So far as I can ascertain, the quail

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almost invariably raises a second, and sometimes, I believe, a third brood, in a single season. Hence, if unmolested, they increase with extraordinary rapidity, when the seasons are propitious; and hence you frequently find young birds, in two or three stages of maturity, in a single bevy, and under the protection of a single brace of parents.

The quail cannot endure severe cold weather, hence he is never found far to the eastward of Boston; I have never heard of his being found at all in the States of Maine and New-Hampshire; and can assert of my own knowledge that, in the former state, he does not exist, if elsewhere, east of the river Kennebeck. In Lower Canada he is unknown; and it is only within a few years that he has become abundant, and a continual resident in the upper provinces, along the northern shores of the Niagara and of Lake Erie.

I cannot, however, satisfy myself entirely that this is the effect of climate, as it may be the consequence of cultivation, on the skirts of which only is the quail found—with one exception, the great prairies of the west, which—whether natural meadows, or, as some persons believe, the remnants of aboriginal civilization—present to the quail all the comforts which he derives from cultivation and the vicinity of man's dwellings—grass-seeds, I mean, and open sunshine.

In the forest, the quail is never found, unless when that forest is girded about with settlements, and interspersed with partial clearances and buckwheat or corn-fields, when he will ramble away during the heat of summer noontide into the cool, green retreats of mountain woodlands.

I have never seen, nor have I heard of a nest placed in a wood; and, were it not for the prairies, which I suppose to have been their haunt and feeding-ground for ages, I should be at a loss to conceive where either the quail or the woodcock existed, when all the seaboard of America, and, for leagues upon leagues inward, the whole face of the country was covered with primeval wilderness, since neither of the birds, as I have before stated, are ever found in the wild forest, and both make their appearance almost immediately when sunshine is let into those deep solitudes by the settler's axe, and the brown stubble has succeeded to the leaf-carpet of the dim and steamy wilderness.

But a few years ago, the woodcock was found in Maine, only in the vicinity of Portland and the oldest settlements; he is now killed abundantly, in the intervales, as they are called in that region, on the Kennebeck, and is extending himself slowly but surely eastward, as the forest recedes before the lumberman. He is, however, still a rare bird on the waters of the Penobscot, though there are ranges of swampy coverts, miles and miles in length, of that very soil and nature which he loves the best; and though I have never seen lying or feeding-grounds in New-Jersey superior to the oak-islands, above Indian Oldtown, upon the beautiful river I have mentioned.

Five years have passed, however, since I shot in those regions, and found it hard work to bag a couple or two of cock on ground which here would have yielded forty or fifty birds; and I should not be surprised to learn that in the interim, they have become plentiful in those very woods. That it is not climate which influences the woodcock, is evident from the fact, that they have abounded for many years in the vicinity of Windsor and Annapolis, in New-Brunswick, where the climate is much colder; but the reign of cultivation more widely extended, because far older, than in the eastern parts of Maine.

It may then, in some measure, be attributed to the same cause, namely, the prevalence of unbroken wilderness, and the absence of large grain fields, that the quail is not found in our easternmost states; and if it be true, as Latham states, that the quail is found in New-Brunswick and Nova Scotia, this might be assumed, and not climate, as the established cause of his aversion to the northeastern country.

But I believe it is not true; for, of many good and staunch sportsmen, with whom I am acquainted at St. John, and elsewhere in the British Provinces, I have found none who have shot this bird therein.

I have said above, that the quail, in propitious seasons, increases with extraordinary rapidity; I will now add, that in unfavorable years, he often comes to the very verge of extinction.

Long severe snows, when the coun-

try is buried many feet deep, and he can procure no sustenance, save from the precarious charity of man, famishes him outright—heavy drifts, especially when succeeded by a partial thaw, and a frost following the thaw, stifle him in whole bevies, encased in icy prison-houses.

It is the peculiar habit of this bird to lie still, squatted in concentric huddles, as they are technically called, composed of the whole bevy, seated like the radii of a circle, with their tails inward, so long as snow, sleet, or rain, continues to fall. So soon as it clears off, and the sun shines out, with a simultaneous effort, probably at a preconcerted signal, they all spring up at once, with an impetus and rush so powerful, as carries them clear through a snow-drift many feet in depth; unless it be skimmed over by a frozen crust, which is not to be penetrated by their utmost efforts. In this latter case, when the storm has been general over a large extent of country, the quails are not unfrequently reduced so nearly to extinction, that but a bevy or two will be seen for years, on ground where previously they have been found in abundance; and at such time, if they be not spared and cherished, as they will be by all true sportsmen, they may be destroyed entirely throughout a whole region.

This was the case especially through all this section of the country, in the tremendous winter of 1835–36, when these birds which had been, previously, very abundant, were almost annihilated, and would have been so, doubtless, but for the anxiety which was felt generally, and the energetic means which were taken to preserve them.

Another peril, which, at times, decimates the breed for a season, is a sudden and violent land-flood, in June and July, which drowns the young birds, or a continuance of cold showery weather in those and the preceding months which addles the eggs and destroys the early bevy. This is, however, but a partial evil, as the quail rears a second brood, and, as I have before observed sometimes a third; so that in this case the number of birds for the season is diminished without the tribe being endangered.

The open winters which have prevailed latterly have been exceedingly favorable to the increase of this beautiful and prolific little bird. Never, perhaps, have they been more abundant than they were last autumn; and though there has been more than an average of snow thus far during the present winter, it has not been heavily drifted for the most part; it has not laid on the ground many consecutive days, and it has not, hitherto, been crusted once.

The sun is now beginning to gain considerable power; the season is rapidly advancing toward spring, and, with a little care in feeding and preserving the birds from poachers and trappers, we have every prospect of yet a larger supply next autumn.

In my next paper—for I feel that I am already running somewhat out of bounds—I shall point out where, in my opinion, the present laws for their protection are inoperative and inadequate, and how they may be simplified and amended; I shall touch upon that much-disputed point — their domestic and internal migrations, in relation to which I have collected some curious facts, which are not, I believe, generally known, and which may prove interesting; and, lastly, I shall dwell at length on the best method of quail-shooting, with the results of some days' sport, from Connecticut so far southward as Maryland, which is the southernmost limit of my sporting experience in the United States.

*The Cedars, January*, 1846.

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## SOME REFLECTIONS OF A FREE-TRADER.

The system of revenue based upon import duties seems too firmly established to be shaken, and, therefore, in the consideration of this subject, we shall assume that this mode of indirect taxation will be, and ought to be the great financial resource of the federal government. Yet the habitual association, in the mind, of *revenue* and *tariff* leads to a certain degree of confusion, which we ought to dispel at the outset, by remembering that they have no natural connection. A *tariff* is only one mode out of many of collecting a *revenue*, and it will greatly assist our investigation if, for the present, we place the question of *revenue* quite out of sight, as if that were not needed, or were otherwise supplied. This leaves us free to consider the *operation* of duties apart from their *object*, and to inquire whether, in themselves they are useful, and if not, why, and how far they are prejudicial.

Let us suppose, as a starting point, that there is not a single duty or other restriction upon traffic in the whole world, but an universal and absolute free trade, entirely untrammelled, and left to the wants and caprices of every body. It is plain, that, under these circumstances, there would soon take place, on every side, a mutually beneficial exchange of commodities; that labor would everywhere be applied in the most productive manner; and that the aggregate of wealth would increase with greater rapidity than upon any other conditions. The advantages of free trade, on a large scale, are completely illustrated by those on a small one. If the traffic of a country, or state, is most profitable when free, so is that of a continent, or the world. For they are both made up of *individual transactions*, differing only in number and magnitude. All trade is only exchange; its theory is mutual benefit, its inducement mutual wants, and it is guarded on both sides by mutual cupidity. This is true of great trades, as well as small ones, and of exchanges made across an ocean as well as across a counter.

These general views will not be contradicted, but they are looked upon as abstractions, having little to do with the state of affairs on this planet. Let us then bring our hypothesis into more practical limits.

Let us, for the sake of simplicity, separate from the list of nations two leading commercial countries, such as England and America, and contemplate their relations to each other only. Let us assume that a system of free trade has hitherto prevailed between them, until England, instigated, perhaps, by jealousy, and a noisy, patriotic, delusive desire to be independent—or for some other cause not necessary to be known—concludes to abandon, to some extent, the principles of freedom, and to impose duties on the imports coming from this country. The consequence is, of course, a diminution of traffic and its proceeds. We, harmed and stung by the movement, begin to inquire what we shall do. "Why," says some ingenious empiric, "let us, also, lay a tariff and *retaliate*; let us *protect* ourselves, and keep her out of our ports as she drives us from hers. Thus shall we neutralize the harm done, bring her to terms, protect home industry, and be independent of foreign labor." But stay a moment; let us consider this theory of protective duties and reciprocal tariffs, and not be carried away suddenly by plausibilities. Will the reader indulge our argument with his careful attention?

If an import duty is laid upon something which cannot be produced at home, the evident consequence will be to raise its price and diminish its consumption. If laid upon something which can be produced at home, but only at a greater cost than the imported article, the duty will not begin to operate as a protection until it exceeds, or at least equals, the difference between the cost of the imported and the home production. When it goes beyond this difference, all the excess is so much protection. When it becomes so great that there is no longer any inducement to import, and the demand has fallen

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within the capacity of the home supply, or that supply been stimulated so as to equal the entire demand, then, importation ceases, and the duty becomes a prohibition. Thus, there are three grades in the operation of duties; the first not high enough to furnish any protection at all; the second protective, but not prohibitory; and the third both protective and prohibitory; We propose to consider only such duties as are more or less protective, which class, indeed, comprehends almost all except such as are merely nominal, or those imposed upon articles which can neither be produced, nor substitutes found for them at home.

First, then, what interests are capable of protection? Clearly, England cannot protect, by duties, the manufacture of iron, nor we the cultivation of cotton, nor China that of tea. The reason is, that these are *exporting interests*. In the natural application of its industry, every nation produces a *surplus* of some things, and suffers a *deficiency* of others. To equalize these wants and excesses, is the office of *commerce*. The branch of industry which, in any nation, produces a *surplus*, is generally the leading branch, and the interests of the majority are involved in its prosperity. Thus manufactures are the leading interest of England, and agriculture of America. One of these is the leading interest of every great *commercial* nation, for unless it has a great surplus of something to *export*, though it may be a *great*, it will not be a *commercial* nation. England is a commercial country because it produces a great surplus of manufactures, America, because it raises a great surplus of agricultural productions. Almost all productive industry is either agricultural or manufacturing, using those terms in their largest sense, the first applying to all the labor used in getting raw material from the earth, and the second to all the labor spent in modifying and preparing such material for consumption. Commerce is only auxiliary, and thrives upon the briskness of exchanges and the subdivision of labor. In England the leading corresponds with our secondary interest, and the secondary with our leading interest. We have a surplus of one kind, and she of another. If, then, according to our hypothesis, England lays import duties, upon what must they be laid? Not upon manufactures, for these are but little imported, but upon the products of the soil and the raw materials produced from the earth.

The effect of such duties is to protect her agriculture, or secondary interest, and to depress her manufactures, or leading interest. This is done, first, by subjecting the consumption of foreign productions to a tax equal to the duty laid upon them, a protection as efficient as so much bounty upon like articles produced at home; and second, by reducing the capacity to buy of the foreign purchasers, upon whose custom depends the prosperity of the exporting interest. Its effect upon America would likewise be twofold, first, to injure our agricultural or leading interest; and second, to stimulate our manufacturing or secondary interest. The injury to the one would be the result of its partial exclusion from the markets of England by the duty laid to protect the corresponding interest there; and the benefit to the other would arise from the former being thus compelled to sell a larger proportion of its produce, and to buy a larger proportion of its wares and fabrics at home.

Thus it is clear, that the consequence of a tariff in one country alone, so far as it is protective, is to injure certain interests, and to stimulate certain other interests in each country, and that the interest protected in one is prejudiced in the other, and *vice versa*.

It remains to observe the operation of the reciprocal or retaliatory tariff which we are supposed to adopt by way of remedy. As before observed, we cannot, by taxing imports, protect our exporting or agricultural interest, which, depending for prosperity upon the foreign demand, seeks only free egress and shuns obstructions. With us, too, the operation of protection is in favor of our secondary interest—an interest, as we have seen, already stimulated by the policy of England, against which we are seeking a remedy. Another effect is to injure our exporting interest, by still further weakening the means of the English consumers to buy of us. As will be readily seen, this produces a further declension of commerce between the two countries, and, accordingly, the double result in England, of diminishing there still further, the rivalry of our agriculture, and

our demand for her manufactures; thus prejudicing, even more than before, her leading, and aiding her secondary interest.

Thus, the operation of a *reciprocal* is necessarily only an aggravation of the mischief already done by a *single* tariff, each helping the other to prop up or to depress the same branches of industry.

This simple theoretical view of the subject, being of necessity expressed in general terms, is doubtless open to many exceptions and qualifications in the given case, but its abstract truth seems to be exceedingly clear.

If, in answer to these views, it be said that the results we have traced are desirable—that it is better for each nation to be more independent of the other—and that the weaker interest in each ought to be encouraged, so as to develope in both countries all the elements of greatness and power—we can only reply to such considerations, that they are in contradistinction to the supposed benefits of mutual free trade; that they are as applicable to states and counties as they are to nations; that they are opposed to the general maxims of self-government; deny the reciprocal benefits of commerce; are founded upon the principles of exclusiveness, local selfishness and national jealousy; and, in fine, if they are true, they ought to be boldly carried out, and the benefits they advocate enforced by the absolute prohibitions of a Chinese policy.

But in point of fact, the independence of nations, like that of individuals, is neither possible nor desirable. The virtue and the harmony of mankind are promoted by the mutual *wants* and mutual *utility* of men, whether in their intercourse as individuals or nations.

We now propose to consider the subject of free trade in two other points of view: first, in reference to the question of *Wages;* and second, to that of the *Home Market.*

It is a favorite and plausible argument against free trade, as between us and the crowded nations of Europe, that the consequence would be a ruinous competition with the cheap labor of that continent, and a depreciation of wages here to the standard of wages there; and such standard, being the extreme minimum of subsistence, is far below that now enjoyed by our own laboring classes. With this depreciation, they argue, would come the stupidity and crimes of a pauper community, and the privileges of freedom would be worse than thrown away upon the gross sottishness of the poor. If this argument is true, it is one of unspeakable importance. Our laboring classes now, for some cause, do certainly enjoy a far better remuneration for their toil than their rivals beyond the Atlantic; and the maintenance of this advantage, if it can no otherwise be maintained, would justify any legislation, however exclusive and selfish.

But, fortunately, it is *not* true, that under a system of free trade, the rate of wages here would fall to their present standard in Europe. They would, indeed, approach nearer to an equality than they now sustain; but it would be an approximation of which foreign labor would more feel the benefit than ours the burthen. To ascertain whether these views are correct, let us reflect upon the theory of wages, and ascertain, if we can, upon what depends the measure of their proportion.

In the first place, the amount of pecuniary payment given for labor is not the true measure of wages, but the proportion of useful commodities for which, at any given period or place, that labor may be exchanged. Therefore, even if it be admitted that free trade would diminish, to some extent, the nominal rate of wages, yet, as it would also reduce the cost of most of the articles which labor seeks in exchange, labor would be equally well paid, so long as the *proportion* of wages and commodities remained the same.

In the second place, the rate of wages for mere physical labor will be, in any free country, about equal in all branches of industry, for the simple reason that if one department is much better paid than others, it will soon attract labor enough from those that are worse paid, to equalize to a great extent the compensation of all.

Now, let us inquire, to what cause is owing the gross inadequacy of proportion that wages bear to labor in most countries; for where diligent toil is rewarded with only the most scanty and precarious pittance that can possibly support life, as in many parts of Europe, this disparity of remuneration, so pitiable and monstrous, must be owing to some general cause capable of dis-

cernment. The application of labor to capital produces the wealth of community, and its proceeds are divided in certain proportions between those who furnish the capital and the labor. If the capital were owned by the laborers in equal degree, the proceeds of labor would be divided with great equality and harmony. But if the capital is owned by those who do not do the labor, and the labor is done by those who do not own the capital, then a struggle arises for the proceeds, in which it is easy to foresee who will prevail; for the former, having something to live on, can await the result with patience, while the latter, living from hand to mouth, are presently compelled by starvation to surrender at discretion. Therefore it is, that where capital is on one side and labor on the other, the latter is a slave of the former, and is indulged even with its husks, because its master cannot afford to let it perish.

Now, the great bulk of capital everywhere consists of LAND, from whose cultivation come most of the absolute necessaries of life, and which has an intrinsic value independent of its relative cost. The possession of a little land confers almost all the means of self-support, and gives to the possessor a degree of independence, placing him, to some extent, above the tyranny of wealth. If every laborer had, or could easily have, land enough to supply him with necessary food, fuel, and the raw material for clothing, it is plain that labor could only be attracted from the plough by the prospect of wages above the minimum of subsistence, and that, in the division of its proceeds, the disparity would cease to be so grossly in favor of capital. In proportion to the cheapness of *land* would be the independence of labor; and the higher the wages by which wealth would be able to purchase its services. But if, on the contrary, lands and rents were exceedingly high, as in England, there would be no share of *capital* accessible to the laborer, and no resort of *independence* within his reach. Then, as there, his wages would be at the minimum, and his prospects without a hope of relief.

The rate of wages, then, varies inversely with the value of land; and if land is very cheap, wages will rise to a point where they furnish a just and adequate remuneration to toil. Such is the situation of this country, and such would continue to be its situation, however free its intercourse with others. The small cost of land everywhere among us, and its merely nominal price in most parts of our vast territory, is the security of labor against destitution; and it is a security of which, from the nature of the case, no competition abroad can deprive us; for, though it might divert some of our labor from the factory to the field, yet the field is broad enough for all; and extends to all its plenty and independence.

In this view of the case, the fallacy, that wages here will fall to the standard of wages abroad, disappears; such a result can only happen when the country is as densely filled, and land as dear. That day, is as yet, far remote; and, probably, the genius of civilization may find means hereafter to avert the calamities of repletion ere they arrive.

The supporters of protection dwell with great confidence upon the benefit to the agricultural producers of a *Home Market*—which, they say, will supply, and more than supply, all the loss of foreign demand, under a restrictive system. For, they argue, the prosperity of manufactures increases the number of consumers here; and they can afford to pay the farmer a larger price for his products, than if they were loaded with the additional expense of transportation to a distant market. In illustration of their views, they point to numerous thriving villages and cities, and the populous country about them. It is doubtless true, that the immediate vicinity of a manufacturing village grows with its growth, and the prosperity of the neighborhood embraces the branch of agriculture, with all the rest; and this equally, whether the growth of that village is natural or forced; yet, in the latter case, its prosperity is upheld by burthens falling somewhere, if not there. Thus, if the people of this country can, in general, better invest their labor in tillage than in manufactures; and, by artificial legislation, a considerable portion of industry is diverted to the latter, the consequence will indeed be an appearance of local

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thrift in the manufacturing districts, while, in point of fact, the prosperity of the whole country is diminished. And, in such case, the *partial benefit*, being, as it were, concentrated and local, would probably be more apparent to the eye, than the *general mischief*, which is spread over a vast area, and depresses an universal interest in detail. Thus, sections may be enriched at the expense of the whole, and local interests be at war with those of the country at large. Keeping this in view, and remembering to be on our guard against both the speciousness of appearances and the zeal of selfishness, let us consider the general theory of a home market.

In the first place, if we, as a people, are better adapted, under all circumstances, to engage in manufactures rather than agriculture, it is fair to presume that the private sagacity of freemen will find it out, without the hints and helps of government. If we are not, then the artificial diversion of labor from a more to a less profitable pursuit, will diminish the *aggregate income* of labor, and, of course, the *average* to be distributed to every department of it.

In the second place, such an artificial distinction of labor does not increase the number of mouths to be fed, or stimulate consumption, so that a greater quantity of products will be required.

In the third place, if this country is capable, as it certainly is, from its great extent, fertile soil, and thin population, of raising agricultural products enough to supply half of Europe, it is the very height of absurdity to talk of a *home market*, to be furnished merely by a change in its *industry*, and not in its *population*, as offering an adequate demand for the unlimited supplies it is capable of producing.

In fine, this theory of a home market is based upon the idea, that commerce cannot regulate itself; that industry, left free, will not seek the most profitable employment, nor be rewarded by the most profitable exchanges, and that foreign trade is pernicious and wasteful. This theory, if carried out, leads to the ridiculous conclusion, that all sorts of business should be carried on close together, for the sake of convenience in the transactions between them. It is difficult to define how large a *home market* should be, or to say why, if it is to be limited at all, it should go beyond the limits of a single state, or county, or township. How many separate *home markets* are there to be in this little world, when the home market system comes to full perfection? To true economy, liberality, and humanity, the whole earth is one *home market*, where every commodity should be made where it can be made to the best advantage, and sold where it can be sold to the best advantage. Every other doctrine is local, timid, and selfish, and as freemen, we utterly reject and deny it.

Thus we have endeavored to show, apart from any consideration of revenue, that free trade is better than restriction; that the doctrine of protection is an injustice and a fallacy; that retaliatory tariffs are delusive; that the quantum of wages does not fall with the prevalence of free exchange; and that the theory of a home market, is utter sophistry and nonsense. If these views are correct, it must be admitted that the necessity of raising a revenue by duties is purely a *burthen*, both in its direct effect as taxation, and its indirect effect as protection; and that it ought to be collected without reference to the encouragement of any particular branch of industry whatever. With such theoretical views as a chart to guide the statesman, he can approach the complicated subject of revenue, with something like clearness of ideas; and giving up all false collateral objects, can arrange the load of taxation on principles of impartial economy.

We should find pleasure in pursuing these speculations into practice, but our limits forbid at present. We will dismiss the subject by expressing our admiration of the wise and liberal policy advocated in the late Treasury Report of Mr. Walker; and our sincere hope that the Democratic party will abandon its hesitating position on this subject; and, as a party, while yet adhering to the system of *indirect taxation*, will utterly renounce and explode the theory of *protection for the sake of protection*, whether direct or incidental, that has been so fallaciously interwoven with it.

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# PROVIDENCE.

BY MARY ORME.

Child in this fallen, blasted world,
From God and Truth so widely thrown,
In Ruin's blackest vortex hurled,
We see thy form, we hear thy moan.

Darkness hath covered thee, O Child!
And evil holds thee in its grasp,
And yet thou strugglest strong and wild,
If haply thou may'st loose its clasp.

Struggles give strength to every soul,
And Light is shed athwart thy gloom,
Dark, tho' the waves that round thee roll,
Land ho! To sink is not thy doom!

Courage, then, fainting, feeble one!
God hears and notes thy weakest wail,
He knows thee for His darkened son,
His mercy cannot, will not fail.

Back to himself each error tends,
Tho' by a lengthened, anguished way;
Wrong, Suffering, Mercy—all He blends,
From error's Night, thus leads to Day.

Day, cloudless, bright, eternal Day,
Where bathes the worn and wearied soul,
'Mid cooling shades, and vernal ray,
Where Heaven's own cycles endless roll.

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# THE AMERICAN ASSOCIATIONISTS.*

*To the Editor of the Democratic Review:*

I have read in the December number of the Democratic Review a criticism of the "Wandering Jew," of Eugene Sue. This work is made the occasion of a violent philippic against the American Associationists and the social doctrines of Charles Fourier. The article is such a tissue of misrepresentations and perversions that I hardly know how to answer it, or what part to take up and refute, without exceeding ten-fold the limits you could give me. Knowing, as I do, that the article was published during your absence from the country, I hasten to take advantage of your return, to appeal to your sense of justice to allow me the privilege, on behalf of no small number of high-minded and honorable men, honest in their views of social reform, of replying in the same pages to that which we regard as personally injurious, as well as calumnious and unjust to a doctrine. Without putting this reply in a controversial form, or undertaking a detailed criticism of the article of your correspondent, I shall best attain my object by proceeding to explain simply and briefly the aims, the objects, and the principles of those who have been so extremely and unwarrantably misrepresented.

The American Associationists advocate a *Social Reform*—a thorough and organic reform in the present system of Society, inherited from the dark ages of monarchical Europe and blood-stained Greece and Rome, and which is still erect, governing the destinies of the most advanced nations on the earth. We believe that this system of Society, called Civilization, has entailed carnage and servitude, misery, conflicts, disunion and ignorance long enough upon Mankind, and that the time has at length arrived for a change in this monstrous social mechanism, and the peaceful establishment of a new social order in its place.

The American people have taken the initiative in this great and righteous work; they have reformed a part of this old and rotten social system—the offspring of epochs of war, slavery and oppression; they have reformed the political part; they have stripped it of its political tyranny, injustice, inequalities and extortions—and Kings, Aristocracies, entailed estates, titles, &c. &c., have been swept away by the spirit of progress of the American people. It now remains for us, as a people, to complete the great work, and *reform the social system itself*, with its false, degrading, brutalizing, unrequited and ill-requited system of Labor—its conflict of all interests—its unequal war of Capital against Labor—and its fierce, envious and relentless competition, with its hatreds, and jealousies, and the industrial anarchy to which it gives rise—its grossly unequal social opportunities and privileges—its domestic servitude—its system of menial and hireling labor—its protracted, unjust and quibbling system of Law, and its other social evils and abuses.

We believe that this is the *true work* of our age and nation, and *we, as Americans, have undertaken it.* We advocate a Social Reform, and we are, in fact, Social Reformers; we prosecute our enterprise in the name of God and humanity, with a deep and firm faith and conviction that we are *right*, that we are engaged in the *most sacred and holy of causes* in which men can be engaged—for it is the cause of the elevation of mankind from poverty, suffering, ignorance, and degradation, to universal abundance, universal intelligence and happiness.

Not wishing to take a name so much abused as that of "Reformer," we have chosen the simple name of Associationists, and used it in all our works and on all occasions.

The writer of the article to which I answer, the reasonings and sophistries of which, together with isolated quotations from Eugene Sue, are strung together in a manner most disgusting to the moral sense of our souls—has seen fit to call us *Fourierites*, a name which we have always rejected, first, because we do not wish to clothe our great work with the livery of any man's name; and second, because we look upon Fourier as an eminent writer and thinker on *Social Science*—and it would be false to give it his name, as it would be to give to Astronomy the name of Kepler or Newton.

Let me state the general principles on which we base our conviction of the necessity of a great reform in the social condition of the human race, and the possibility of their elevation to a high state

* The publication of the above communication is requested, on grounds to which, as a matter of personal justice, we cannot refuse the privilege claimed.—Ed. D. R.

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of dignity, truth and happiness. My view of these principles may differ slightly from those of others, but I believe not essentially.

1. We believe that a God of *infinite Love and infinite Wisdom*, created and governs the Universe.

2. We believe that our globe and the Humanity upon it form a part of the Universe, and *that hence the Laws of divine Justice, Order and Harmony, which govern the Universe, can be extended to and established upon our earth.*

3. We believe that these Laws of Divine Order are revealed and manifested in the works of creation—in the movement of the heavenly bodies, in the distribution and arrangement of the animal, vegetable, and mineral kingdoms—in the harmonies discovered by science, like the mathematical and musical; and in all other departments. These laws are the attributes of the wisdom of the Creator. We believe, also, that the commandments of His Love, have been given to the world by the Prophets, and in their fulness by Christ, who proclaimed the brotherhood and unity of the race—that they were all one, brothers of one family, children of one God; and who said: "As I have loved you, so love ye one another;" and instructed his disciples to pray and labor that the kingdom of God, and his justice, might come, and his will be done ON EARTH, as it is in heaven—and that to all might be given their daily bread or an abundance of all things necessary to the body and soul.

4. We believe that man is a free agent, endowed with independent action, and the high gift of reason and mental association with God, and that he *must discover by his own efforts and genius* these Laws of divine Order and Justice, and establish them upon earth. If Man does not do this, then discord and incoherence reign in their place, govern the world, and engender all the evils that now oppress and curse it. But to be impelled to seek for these Laws, man must be animated by love to God and humanity; the love must exist first, and give power and direction to his intellect. If those literary critics that are biting at the heels of genius, were fired by any spark of this noble sentiment, they would endeavor to discover remedies for the miseries that oppress their fellow men, instead of making a hypocritical parade of their pretended purity and virtue, and sensibility to truth and principle.

That the laws of divine Order and Harmony with their results, the Brotherhood and unity of the race, and the elevation and happiness of the whole human family, do not exist on the earth, is abundantly proved by facts around us.

Look at your wars between nations, with their carnage and devastation; look at your incompatible castes and classes in each nation—masters and slaves, rich and poor, employers and hirelings—with arrogance, oppression and contempt on one side, and envy and hatred on the other; look at your strifes and intrigues between sects and parties; at your frauds, overreachings, duplicity, lying, cheating and legalized plunder in commerce, finance and industry; look at your dissensions in families, at your quarrels, antipathies and calumnies between individuals in all their daily business affairs; look at rampant mammon, wringing from the toiling millions the wealth created by their sweat and their blood; look at men devouring the substance of each other like beasts of prey; look at the vice, crime and drunkenness that prevail, particularly in your large cities; look at the prostitutes in your streets, at your poor-houses and your prisons; at your beggars and your criminals, —look at all this and far more than I can describe, and say whether the present system of society is a true and divine Order in which the laws of God reign, or if it is not rather a *Social Hell?* When we contemplate this awful scene, what can we say of those benighted souls, who, instead of taking any part in the great and sacred work of social progress and human elevation, have only attacks, calumnies and criticisms to level against every and all reforms that come up, and who, in order to pander to and gain the favor of interests *monstrously selfish and inhuman, actually uphold this Social Hell?*

The day is not far distant when these defenders of things as they are—in the midst of the complicated miseries that reign, will receive, as they merit, the contempt of mankind.

5. We believe that a great *Social Reform* must and will be effected; that the condition of mankind throughout the world calls for it with imperious necessity. We believe that the new Social Order, which is destined to replace the old social system of man, slavery, oppression and gigantic wrong, and which has now lasted about thirty centuries, must *be based upon those principles of eternal justice, those laws of divine Order* which produce harmony throughout the universe, and *not* upon any arbitrary plan or theories of human devising or invention.

As we said, these laws of universal Harmony, having their origin in the wisdom of God, are manifested in all the works of creation; Man is the interpreter of them for this globe; he must, by the efforts of the high intelligence with which he has been endowed, discover and apply

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them to the world over which he presides, and thus bring it under the government of the laws of harmony and justice of the Creator. We believe that several interpreters of parts of these laws, have appeared within a century or two, and that the present epoch in the history of the world is destined to explain them, and give to mankind the true scientific basis of society. We, who are laboring for a Social Reform, feel particularly the want of full knowledge of these laws, for we know that this greatest of all problems, can only be solved by the highest wisdom. For this reason we study with deep interest, and impartially, the labors of every man of genius who pretends to have had an insight into this intricate subject.

We believe that the illustrious Swedenborg has discovered some portion of these laws of universal Harmony; his scientific works in particular, his Animal Kingdom, Principia, &c., contain most important things. He is condemned as a visionary and an impostor by many sects, yet we consult him with reverence, and take gladly whatever we can find to guide us in our difficult and complicated work.

Charles Fourier had a clear insight into the existence of these laws, and the absolute necessity of their discovery, before mankind could have *positively a sure guide* in the organization of their societies, and their social career on earth. He labored for years at their discovery, and it is said by those who knew him, that he has passed six days and nights without sleep, engaged upon the solution of some deep and complicated problem. I, who knew him well, and who knew the intensity and the power of his nature, can readily believe that it was so. Fourier claims to have discovered the laws of universal harmony in all their powers or degrees, but in his works he has given only a general outline of them, and laid down their general and fundamental principles. The results of the labors which he has left behind, are however, of inestimable value, and candid minds, if they would but look into the subject, would see it, and pursue the study, and endeavor to arrive at a complete knowledge of these laws.

Many of the leading scientific minds of the day are now searching for *the great principles of Nature, which control and regulate, with such sublime wisdom, the vast universe.* Among others, we find Burdach, the physiologist; Carus, the comparative anatomist; and Oken, the naturalist, of Germany; Geoffroy St. Hilaire, of France, and others. There is a decided tendency, in our age, to arrive at this Science of Sciences, or a knowledge of the Laws of Nature, or universal Order and Harmony, and, we believe, that it may be accomplished.

From what we have said, it will be seen that we hold there are many interpreters of Nature's Laws. We consult these interpreters with great respect, but do not take the men as our leaders and masters; we accept only *the Laws themselves.* These Laws, as we said, are not yet fully discovered, and clearly and scientifically explained, and we are still seeking. Fourier has had a deeper, a more definite and comprehensive view of them than any other man we know; he has given, in addition, an Organization of Society, which he believes is based upon them, so that we consult him with respect, and in one important practical sphere, in the *Organization of Industry*—by which Labor will be dignified, and rendered honorable and attractive—we take him as a guide. We look upon him as an interpreter, not as our master: he was not a prophet, a revealer, a being clothed with undoubted authority; he was a man of gigantic genius, operating with the powers of reason, which are always liable to error, in him as well as in every one else. It is very probable that he did commit errors, as he operated in so new and vast a field; it would, indeed, be remarkable if he did not; we know that the great Kepler, and the great Newton, wrote some extravagant things—as extravagant as their genius was great, for powerful men do nothing, whether for good or evil, in a small way. It may be the same with Fourier, but it is for the men who are following in the same direction,—that is, searching for the Laws of divine Order and Justice, and their application to this world—to correct these errors, and to substitute the corresponding Truths in their place. Besides, the common sense of mankind, as the great work of a Social Reform progresses, can test, step by step, the truth and practicability of principles and measures, which may be proposed by Interpreters or Discoverers of Social Laws.

Small souls and triflers do not know how to separate any errors that may occur in a system, or in the discoveries of a man, from the truths that are contained in them—making use of the one while they correct the other: all they can do is to cry out like frightened children, and point with great trepidation to some dreadful things they have seen. This appears to have been the case with the poor Critic in the last number of the Democratic Review. He has read, in Eugene Sue, something that is in conflict with marriage as it now exists: he attributes all this to Fourier's system, and the American Associationists, (although I know, positively, that Eugene Sue does not know what Fourier's views are upon the question of the relation of the sexes, for they are not explained in his works) and, then, sets up a cry of alarm,

and proceeds to save the world from the danger that impends over it.

Let me state, here, that in Fourier's works, or discoveries, there are two entirely distinct parts. One relates to the Organization of Labor and similar practical questions, such as the system of commerce, of property, of education, the division of profits, &c. All this is clear and practical, and can be judged by the common sense of people, and practical experience.

The other embraces a wide field of scientific speculation and analogical conjectures upon the system of the universe, and of the most transcendent character ever penned, we believe, by man. The latter includes the theory of the Laws of Universal Harmony—or the *Law of the Series*, as Fourier calls it—a theory of the Immortality of the Soul—of Cosmogony, embracing an explanation of the mode of the creation of animals, vegetables and minerals on the surfaces of planets, and of future creations, and developments of Nature that are to take place on our own—a description of the processes for ameliorating the climate of our globe—an explanation of the theory of Universal Analogy, and an outline of the future and successive Orders of Society that will be established on the earth as the Race progresses, and the great changes which he predicts, will take place generally. In is in this part that we class what he says of the habits, customs, and the nature of the social relations that will exist in future and far distant periods; and as great changes have taken place in the past, so he anticipates that they will also take place in the future. He has said very little about the relation of the sexes, and what he has said is stated in such extremely technical language, and so vague and general, that it is impossible to arrive at a clear knowledge of the system which he had in view. He has, however, said enough in condemnation of the abuses and evils of the present system to expose himself to the criticism of those minds of small calibre, who, from petty interests hate all reform and progress, and seek out some one or more points which are objectionable to the habits and feelings of the Age, and then harp upon them, instead of seeking for what is evidently good and sound, and advocating it, as men of intelligent views and honest hearts, should do. Fourier, however, has stated in the most explicit manner, that this second part of his works may be considered as a romance —as his poetry. He says that Newton wrote upon the Apocalypse, Kepler upon Astrology, and that the positive part of those great men's discoveries are not rejected on account of their apocalyptical or astrological vagaries; he claims the same liberty to treat certain transcendant questions—leaving it to future ages to determine whether he is right, and if so, to merit a reputation equal to the reachings of his genius—but he says, that the practical and industrial part of his discoveries, which can be tested on a small scale, and at comparatively little expense, and of which the present age can judge, should not be rejected on that account.

So much for Fourier. Now, let me explain briefly, the views which the Associationists hold on the subject of marriage, and a few other leading points.

We believe that a Social Reform has become absolutely necessary, and must, sooner or later, be effected; we have explained the reasons for it, and the principles on which a true Social Order should be based,—namely, upon the same great system of Laws as produce Harmony in all other branches of creation.

In this difficult and arduous work, we must begin at the beginning; that is, with the practical and material interests and affairs of Society. We must give to Labor, which is the great source of wealth and riches, a *good Organization;* we must dignify it and make it attractive; we must apply to it all the resources of science and invention, so as to increase production greatly—four, six, eight fold. By this means we can secure *abundance to all*, and banish the scourge of poverty from the world, the prolific source of so many lesser evils—this is the first great step to be taken.

We must then secure to every being—to the man, the woman and the child—his or her rights, particularly the Right of Property, and the Right of Labor, or productive and congenial occupations. By this means, we shall secure to all, *pecuniary independence*, which is the second great step.

In the third place, we must give to all children, without exception, equal social opportunities, and particularly equal chances of education, and the best possible one, both industrial and scientific, that the human mind can discover, and the experience of the past suggest. This will secure *universal culture and refinement, and unity of habits, manners, language, &c.*

These three measures, which could so easily be carried out, if there was a sincere Love of Humanity to prompt the hearts and the intellects of men to seek for the means, would bless the world with *Abundance*, with real *liberty and independence*, and with *universal Knowledge and Elevation.*

Jointly with these three measures, we must introduce into society, *Unity of Interests, Combined Action*, and the principle of *Association*, and replace by them the conflict of all interests, the incoherent

action, and the universal individualism, and the antagonism, that now reign.

When Mankind have achieved these preliminary reforms; when a foundation of practical truth and justice is laid, which will take two or three generations; then they will be in a position to discuss and legislate upon any higher reforms which may be deemed necessary; and they will be capable of so doing, for abundance and knowledge will be universal, and refined and elevated generations will be there to decide upon them.

Our duty and business are *to work for the present generation*, to propose and carry out *such measures as the present time requires—as are appropriate to the actual wants and condition of mankind, and form the first of a regular series of links in the great chain of a Social Reform.* We have too much common sense, we trust, to undertake to say what Humanity shall do ages hence, and to lay down laws and principles which it shall follow. It will be guided, we do not doubt, by its own sentiments, researches and studies; and on looking back to the dark ago in which we now live, with its ignorance, misery, brutality, selfishness, slavish and disgusting subserviency to pecuniary considerations, its prejudices and general intellectual weakness, it will think as little of taking advice of the beings of such an age, as we do of following the views of the darkest of the middle ages, and, in fact, I might say, as we should of asking the councils of a band of Congo negroes, or a horde of savages, upon questions of social and political interests.

An Industrial Reform, and the Organization of Labor, the guarantee of all Rights—the Right of Property, the Right of congenial and productive Occupations, and the Right of Education and Social Protection, or a Social Providence for the child—these are the measures for which the Associationists are contending, the reforms which they are endeavoring to carry out.

As regards Marriage, the Associationists have not treated it, scarcely even adverted to it. They leave marriage as it is, and maintain it in its present condition, for they are fully convinced that it is not a question for the present age. It is their opponents who moot the question, and not they.

As regards their opinion upon the goodness and truth of the Institution, I will state the views which, I believe, are held by most of us. This will meet the question direct.

In the first place, we do not at all believe that Marriage, that the promise and vow between two beings before God to love each other for ever, is the cause of the quarrels, the discords, the antipathies, the jealousies, the sorrows, the materialism, the oppression, the abuses, and the thousand abominations that now exist and take place between married couples. We believe that all other evils in society combine to produce these results; that poverty and ignorance, that coarseness and brutality, particularly on the part of men, with vices like gambling and drinking, that antipathetic and incompatible characters, that undeveloped and misdeveloped minds and bodies, with repulsive habits, views and opinions growing out of these moral and physical deformities, that the pecuniary dependence of woman, that rash marriages, the fruit of the mere sensual impulses—these, and other evils and abuses, combine to poison and degrade the relations, and cover it with their contamination. But above all, we believe that the system of separate or isolated households, which makes woman a domestic drudge, reduces her to a state of entire pecuniary dependency upon man—forcing her in so many cases to barter the desires and aspirations of her soul for clothes to cover her, for food to eat, and for a house for shelter—which brings up between the man and the woman a thousand petty discussions upon low and common place subjects, upon pecuniary concerns, expenses, economy, &c., and which soon dissipate the sentiment that produced the union—it is this system in particular which exercises a most deleterious influence upon the relations of the sexes.

Now, we do not wish to change or abolish marriage to correct the abuses which we see at present connected and interwoven with it. We wish first, to change all the social, political, and household evils that surround it; and when this is accomplished, we shall then be in a position to form a clear and correct opinion as to what is to be done next, if other evils still remain. We are positively certain that if marriage were to be done away with at present, and all the monstrous abuses and defects which now exist in society, left standing, that chaos and derangement, far greater than now exist, would be the consequence.

But suppose, in the second place, that Marriage is an incomplete and imperfect institution, and requires to be reformed; what, then, are your views and your policy in regard to it?

Our views are very clear upon this point; and I will state them.

We believe that it is for the women of a future generation—*when all the preliminary reforms, of which we spoke, are carried out*, when woman possesses her pecuniary independence—when she enjoys all her rights, and gains her own livelihood by her own efforts, in a system of dignified and attractive industry—when she is

fully and integrally developed, morally and intellectually, and when the paternal protection of society or a social providence, is extended to all children; it is, we believe, for the noble women of the future; of a regenerated race, to decide upon this most delicate and intricate question.

In industrial and political affairs, man should hold the preponderating power; in all things relating to marriage and the family, it should be held by woman. Man has usurped both; and we deem it unjust on the part of Reformers, composed almost exclusively of men, to continue this assumption; and to undertake to legislate, not only for the future, but also for the opposite sex, in matters peculiarly its own.

Now, both from theory and conviction, we abstain entirely from laying down laws or building up a system, for the government of the relation of the sexes. We know and feel that we are not capable of doing it. It requires, in the first place, the deepest experiences of the heart, and the profoundest judgments of the mind, based upon those experiences; and, in the second place, it is a question to be decided in an age of universal abundance, universal refinement and intelligence, complete moral and physical development, freedom from pecuniary dependence, and disenthralment from the numerous material considerations that now press upon us all on every side.

In short, we leave this whole question to the soul of fully developed, fully educated, and fully independent woman, in a true social order; we are convinced that that soul will then be noble, pure and elevated, and that the decrees which go forth from the heart, will be the voice of God, speaking through the divine affections, which He has implanted in humanity—will be a true guide and a true revelation upon this great subject.

These are intimate convictions; this is the ground which we take. If the Associationists of the United States have arrived at such conclusions by experience in reform, and by reflection, and hold to them, then they are not responsible for anything that Eugene Sue may write on the same question, nor any one else; not even for views which Fourier may have entertained, although they hold him to be a man of a truly noble genius, and accept his Organization of Industry, as both beautiful and natural.

And now in conclusion, what shall we say of those men, who, with the spectacle of the flood of misery and wretchedness which surrounds us on all sides, before them—have no real pity for their fellowmen, no living and heartfelt philanthropy to stimulate them to seek for a remedy, or to give them the energy and the zeal to search after or devise measures of relief, and hoist the banner of reform; but who endeavor to pick out of a great plan of amelioration—thought upon and advocated long and seriously by men who certainly have as much common sense and honesty of purpose as they—some one point or two, which they think they can attack, and then by quotations from a distant source, and foreign to the plan; by slanderous suppositions, by gratuitous misrepresentations, and calumnious insinuations, commence their attack, and appeal to all the prejudices, and the selfish conservatism of the age; and make themselves the apologists of a cold, heartless, and disgusting inhumanity?

A. Brisbane.

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## MONTHLY FINANCIAL AND COMMERCIAL ARTICLE.

THE clouds which both in England and the United States have since the summer months lowered over commercial affairs, are now in some degree clearing away. We alluded in our last number to the fact, that in most commercial countries a very great and progressive increase existed in the consumption of those articles which enter most into the necessities and comforts of the masses of the people. The principal check which this state of affairs received, arose from fears in relation to the harvests, heightened by political efforts to make the deficit in England, however small it might be, the instrument of completing the liberal commercial policy of the country, which has been progressing since the war, but which received its greatest impulse in 1842, on the accession of Sir Robert Peel to the ministry. The panic which resulted from the exertions of the liberalists, having this object in view, agitated the public mind far beyond what the actual state of things would warrant, and extending to the continent, greatly diminished the consumption of goods, and caused stocks of almost all wares to accumulate in the shops of the dealers. The efforts, however, produced their results; but the landed interest, as represented in the government, obstinately resisted the abolition of the corn laws, evidently demanded by a vast majority of the people; and the minister, unable to overcome this resistance, was obliged to resign his office in December, although possessed of a large working majority in Parliament. His resignation brought into power the Whig leader, Lord John Russell, who was, it appears, unable to form a Cabinet, and Sir Robert Peel was reinstated *per force*. The ministry has undergone some unimportant changes, and it is rumored that the corn laws will be changed so far as to substitute a low fixed duty of 3s. to 5s. per quarter on wheat, for the sliding scale. The great difficulty of Lord John Russell in forming a ministry, was said to have been the refusal of Earl Grey to take part in a government of which Lord Palmerston should be the foreign minister. The objections to that person arising from his former policy. Thus the important facts developed by the late sudden changes, are, that peace and commercial regulations, of the utmost liberality, are the elements which give the greatest strength to the English Government. The great want of that nation is to sell its goods. To do so, t must compete on the best terms with all other nations, and to this end all that part of the cost of living and of manufacturing goods, made up by taxes, direct or indirect, must be abandoned. With such a state of affairs, war is utterly incompatible. The desire of the English Government for colonial agrandizement, is stimulated by the necessity for more extended markets. If those markets are obtained by commercial regulations on the part of England and those nations with whom she deals, so liberal as to permit the freest interchange of products of mutual industry, an extension of the markets of both countries is the result, and the general prosperity of all is enhanced. The greatest advantages which could accrue to either the United States or Great Britain, viz: the repeal of the corn laws in England and the abolition of protection here, seem now on the point of being realized. These advantages will confer on both nations the highest degree of prosperity, and, on the eve of their consummation, certainly cannot be jeopardised by a barbarous war, although manufacturers here and aristocrats there might fancy that they derive some temporary advantages from such an event. The reduction of the Tariff of the United States certainly neutralizes the objections which England might have entertained to the annexation of Texas, inasmuch as that a liberal commercial policy is all that she might expect of the result of her influence over independent Texas. In relation to Mexico, the interests of England would be more promoted by its adhesion to the Union under a permanently liberal commercial policy, than either that it should remain in its present state of barbarous anarchy, or that its wealthy and influential citizens, including its powerful clergy, should seek a permanent quiet under a Spanish Prince. The commercial policy now definitively adopted by the English Government, if responded to in a spirit of sound economical policy, must put at rest all disturbing political questions between the two countries for the future, and eminently promote their mutual prosperity. Industry in both will receive the highest degree of encouragement, by finding the readiest sale for that which it produces in the greatest abundance.

The state of our own commercial markets during the uncertainty which the progress of these events has produced, has been one of quiet; an indisposition to embark in new enterprises has prevailed, as well as an indisposition to loan money;

generally falling, prices of stocks and commodities, with a scarcity of money, have marked the daily transactions; at the same time, a continual discharge of obligations, as they arrive at maturity, without the creation of new ones, have contributed to reduce the amount outstanding, up to the time of making up the bank returns for the February quarter, and therefore to produce a greater ease in the money market. The foreign exchanges during the year ending December 1, 1845, were remarkably steady throughout the year, and the import of precious metals was nearly equal to the export. The monthly export from the port of New-York, with the rate of sterling bills, at the close of each month, were as follows:

EXPORTS OF SPECIE FROM NEW-YORK AND RATE OF STERLING BILLS.

| | EXPORTS. Gold. | Silver. | Total. | Sterling Bills. |
|---|---|---|---|---|
| January, | 354,175 | 288,040 | 642,215 | 9 a 9¼ |
| February, | 15,312 | 154,185 | 169,497 | 8¾ a 9 |
| March, | 43,237 | 210.550 | 253,787 | 8¼ a 8½ |
| April, | 16,330 | 173,730 | 190,060 | 8½ a 9 |
| May, | 28,908 | 177,336 | 206,244 | 8¾ a 9¼ |
| June, | 38,143 | 11,900 | 50,043 | 9 a 9½ |
| July, | 63,656 | 60.396 | 124,046 | 9½ a 9¾ |
| August, | 238,022 | 107,921 | 345,943 | 9¾ a 10 |
| September, | 174,875 | 248,631 | 423,506 | 9¾ a 10 |
| October | 26,961 | 366.592 | 393,553 | 9 a 9½ |
| November, | 8,407 | 119,301 | 127,708 | 8 a 8¾ |
| December, | 39,650 | 99,106 | 138.786 | 8½ a 9 |
| Total, 1845 | 1,047,670 | 2,009,718 | 3,065,388 | |
| " 1844 | 1,375,526 | 5.313,357 | 6,688,883 | |
| " 1843 | 385,889 | 2,033,374 | 2,419,263 | |

The external drain from this port has been much less this year than during the previous one; notwithstanding which, the Banking institutions have, under the influence of fears arising from other causes, and to which we have alluded on former occasions, considerably circumscribed the sphere of their action; and by so doing have greatly aided the war panics in reducing the prices of stocks. The following is a table of the rates of leading stocks in the New-York market at different times during the past two years:

PRICES OF STOCKS IN THE NEW-YORK MARKET.

| | Rate. | Red'mable | 1844. Jan. | June. | Sept. | Dec. | 1845. May. | Nov. 14. | 1846. Jan. 1. |
|---|---|---|---|---|---|---|---|---|---|
| United States.. | 6's | 1862 | 113¼ | 113 | 116 | 113¼ | 113¼ | 110¼ | 109 |
| " ... | 5 | 1853 | 102⅜ | 102 | 104⅜ | 103¼ | 103¼ | 102¼ | 100 |
| New-York..... | 7 | 1848–9 | 107¼ | 106⅜ | 109½ | 106 | 104½ | 105 | 104 |
| " ..... | 6 | 1862 | 108 | 107½ | 110⅜ | 101 | 108 | 109½ | 104 |
| " ..... | 5½ | 1861 | 103½ | 103½ | 106 | 104 | 104 | 102⅜ | |
| " ..... | 5 | 1855 | 101¼ | 100½ | 105 | 103 | 106⅜ | 102½ | 99½ |
| " ..... | 5 | 1830 | 101 | 101 | 98 | 103 | 100½ | 102½ | 99½ |
| New-York City | 7 | 1857 | 110 | 110 | 114 | 115 | 112 | 111½ | |
| " | 5 | 1870 | 99 | 100⅜ | 101½ | 102 | 99½ | 99¼ | 95 |
| Ohio..... | 6 | 1856 | 96 | 95¼ | 99¼ | 96 | 97⅜ | 97 | 92 |
| " ..... | 7 | 1851 | 104½ | 102 | 105½ | 103 | 101½ | 101 | 100 |
| Kentucky..... | 6 | 1870 | 101½ | 101 | 102¼ | 103¼ | 101⅜ | 101¼ | 99 |
| Tennessee ..... | 6 | .... | 100 | 102 | 102 | 100 | 101 | 101¼ | |
| Alabama..... | 5 | .... | 80 | ... | 80 | 72½ | 72½ | 72 | 66 |
| Pennsylvania ... | 5 | .... | 65 | 74½ | 71¼ | 73¼ | 73½ | 74¼ | 69 |
| Illinois..... | 6 | 1860 | 40⅜ | 49 | 43½ | 36 | 39 | 37 | 36 |
| Indiana..... | 5 | 1860 | 37 | 44⅜ | 43 | 34½ | 34½ | 37 | 38 |
| Harlem R. R.. | . | .... | 43¼ | 72⅜ | 73½ | 64 | 73 | 68½ | 51 |
| Mohawk do. .. | . | .... | 51½ | 60 | 62 | 58½ | 61 | 57 | 51 |
| L. Island do. .. | . | .... | 72 | 80 | 83 | 75 | 73½ | 74 | 56 |
| Stonington..... | . | .... | 33½ | 43 | 45¼ | 39 | 37½ | 41 | 41 |
| N. and Wor. do. | . | .... | 34½ | 53½ | 72¼ | 66¼ | 75 | 84⅜ | 64 |
| Erie do. | . | .... | 15½ | 19 | 24 | 27 | 31¼ | 71 | 66 |

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The year closed with prices much lower than at the same time last year, contrary to general expectation; and this exhibits in a considerable degree the influence which political causes have exerted on almost all business. The same effort has been displayed in the London market. Consols which sold in the first week of January, 1845, at 100¼, were sold at the same time in 1846, at 94½—a decline of 5¾ per cent. In the same time United States stock declined 4½ per cent., and Bank of England stock fell 7 per cent. The depreciation of capital is nearly as follows:

| | Amount. | Price, 1845. | 1846. | Decline. | Am'nt of dec'e. |
|---|---|---|---|---|---|
| United States Stock..... | $17,075,445 | 113½ | 107 | 4½ | 768,394 |
| English 3 per cents..... | 2,411,539,015 | 100¼ | 94¾ | 5½ | 132,634,646 |
| English Bank Stock..... | 72,765,000 | 212 | 205 | 7 | 5,078,350 |

The difference in the price of the English 3 per cents. represents a value nearly equal to the whole taxable property of the State of Ohio. The small amount of the U. States Stock afloat makes it less liable to fall, but it is a matter of congratulation, that although foreign capitalists utterly refused to purchase or subscribe to the stock, it can be held steadier here, by our own citizens, than English Consols, "the horse that never stumbled"—can be held in London. Large sums have been paid off by the several states during the year, amounting in all to some $11,000,000. Pennsylvania has continued to pay her interest, and at the close of her fiscal year, November 30, had, wherewithal, to meet her February payment; and the treasurer pointed out such modifications of existing laws as would, in his opinion, ensure the continued and regular payment of the debts of Pennsylvania. The finances of Maryland have also improved in a surprising manner, and there is every hope, that with the increased business of other public works from which she draws a revenue, that her credit will soon be fully restored. The affairs of Illinois progress successfully under the trusteeship of her canal, which will doubtless be completed in the three years specified in the law, and give a new spur to her industry. The tax levied at the last session of the legislature, to pay part of the interest, has been promptly paid. The Governor of Mississippi, in his annual message, points out the means within the control of the government, by which the interest on that portion of her debt, known as the "Planters' Bank Bonds," and amounting to $2,000,000, may be met, and the principal finally liquidated. Michigan has not been successful in the payment of the interest, amounting to $52,000, on that portion of the $5,000,000 loan recognized by the state; but there is hope that the deficit will be made up by taxation, and the state honor redeemed. In Indiana a compromise has been effected in relation to the debt by the bondholders, through the agency of Charles Butler, Esq. The Wabash and Erie Canal of Indiana, connecting Lake Erie with the Ohio River, is situated nearly in the same condition that that of Illinois was before the compromise with her creditors. The bondholders of Indiana have agreed to advance $2,200,000 for the completion of the canal, provided the work and the land belonging to it is placed in trust to secure the loan, on condition that the state pay, by taxation, one-half of the principal and arrearage interest of the existing debt. The amount of the debt is now as follows:

| | |
|---|---|
| Indiana debt, principal..... | $11,090,000 |
| Arrearage interest, January, 1841, to January, 1847..... | 3,227,000 |
| Total debt..... | $14,317,000 |

The state is to retire one-half of this debt, say $5,545,000, by issuing in exchange for it new certificates paying 5 per cent. on them, by taxation, up to 1857, when half the arrearage interest, $1,613,500, shall be added to the principal, and the whole bear 5 per cent. interest. The other half, principal and interest, is to be paid out of the canal property and its revenues, when it shall have been completed, and the faith of the state to be released from its payment. In Arkansas and Louisiana nothing has been done towards the discharge of the delinquent debts, but to continue the liquidation of the banks for the benefit of which they were created. The state legislature of Florida has been in session, but no allusion to the old territorial debt, or "faith bonds," appears to have been made. On the whole, considerable progress has been made towards the diminution of indebtedness, and the future payment of debts. Great dependence is in all directions placed upon the revenues of public works as a means of meeting the demands upon the several treasurers. Pennsylvania, Maryland, and New-York, on the Atlantic, are traversed longitudinally by canals, the object of which is to afford a cheap and easy outlet for the

surplus produce of the interior. The Pennsylvania Canal opens on the Ohio River, which divides five large states, and drains the produce of that portion of each state adjacent to the river, downward towards New Orleans, and upwards to Pittsburgh. Michigan is nearly traversed by two rail-roads, the chief of which comes to Detroit, the other to Monroe, with a branch to Toledo, at which point also comes produce, by the Ohio and Miami Canal, and the Wabash and Erie Canal. The Ohio Canal delivers its produce at Cleveland, Ohio; and the southern portion of Ohio sends its produce to Cincinnati. The following table will show the deliveries of certain articles on many of the leading works:

DELIVERIES AT CERTAIN POINTS FROM MANY PUBLIC WORKS.

| | Michigan Rail-road at Detroit. | Ohio Canal, Cleveland. | Wabash and Erie Canal, Toledo. | Miami Canal, Cincinnati. | Pennsylvania at Philadelphia. | Erie Canal. Shipped at Buffalo. | Erie Canal. Arrived at Tide-water. |
|---|---|---|---|---|---|---|---|
| Flour bbls. | 225,430 | 329,732 | 92,071 | 121,723 | 166,993 | 721,890 | 2,517,256 |
| Beef " | ..... | 4,019 | 120 | ..... | 5,849 | 34,084 | 67,699 |
| Whiskey " | ..... | 18,612 | 349 | 69,312 | 10,130 | 10,220 | 1,588,601 |
| Ashes lbs. | 152,009 | 1,090,973 | 1,998,092 | ..... | ..... | 768,340 | 69,668 bbls. |
| Butter " | ..... | 1,087,104 | 88,021 | 60,700 | 1,218,350 | 3 397,690 | 1,621,455 |
| Bacon " | ..... | 863,911 | 885,918 | 4,703,331 | 7,044,760 | 1 300,000 | 1,631,700 |
| Lard " | ..... | 792,734 | 1,983,338 | 3,570,915 | 2,039,000 | 2,359,440 | 3,064,800 |
| Tallow " | ..... | 315,396 | 77,895 | ..... | 487,700 | ..... | ..... |
| Iron and Nails | ..... | 9,128,822 | 453,000 | ..... | 13,668,950 | ..... | 6,031,968 |
| Wool | 399,080 | 961,982 | 65,004 | 5,482 | 3,317,400 | 3,441,317 | 9,504,039 |
| Coal bushels | ..... | 889,890 | ..... | ..... | ..... | 977 | 47,798,300 lbs. |
| Corn " | ..... | 164,967 | 38 798 | 49,950 | 154 4..3 | 33,094 | 311,803 |
| Oats " | ..... | 48,044 | 86 892 | ..... | 83,951 | 9,040 | ..... |
| Wheat " | 230,610 | 205,581 | 695,209 | 6,404 | 23,217 | 1,354,996 | 1,690,033 |
| Tobacco hhds. | ..... | 705 lbs. | 134,415 | 134,415 | 3,302,100 | 606,350 | 670,900 |
| Staves & Head'g pcs. | 1,840 | 717,084 | 90,000 | ..... | ..... | 44,587 | 139,754,800 lbs. |
| Pork bbls. | 944 | ..... | 8,136 | ..... | ..... | 28,935 | 451,153 |
| Hides lbs. | ..... | ..... | 179,799 | 56,079 | 532,250 | 769,860 | 293,009 bbls. |
| Lumber feet | ..... | ..... | 954,257 | ..... | 1,195,305 | 19,939 | 236,924,666 |
| Furs and Peltries lbs. | ..... | ..... | 136,188 | ..... | 89,700 | 273 | 708,709 |
| Hemp lbs. | ..... | ..... | 569,006 | ..... | 576,900 | ..... | ..... |
| Cheese lbs. | ..... | ..... | ..... | ..... | 216,300 | 2,750,923 | 27,502,861 |

This contains a glance at the movement on the principal works. The Erie Canal, it will be observed, is immeasurably a-head of all the others in importance. The completion of the Michigan rail-roads across the Peninsula, also that of the Illinois Canal, from Chicago on the Lake Michigan, through 100 miles of the most fertile country in the world, to the Illinois River, and the extension of the Wabash and Erie Canal, from Lafayette, Indiana, to Evansville on the Ohio River, will lay open these immense tracts of land, the agricultural capacities of which are hardly estimated as yet, and to test their capacity a large and steady foreign demand is requisite, and the producers of wheat can become wealthy by selling wheat at prices lower than it can be produced for in the most fertile portions of the grain countries of Europe. Even at the present time, without any communication with the interior, wheat pays well at Chicago, Illinois, at 60 cents, and the export of that thriving place, for the year ending with the navigation of the last fall, was 924,515 bushels, leaving 358,306 bushels in store, December 1st, when the price there was 96 cents.

In the year 1826, Mr. William Jacob was sent by the English government through Europe, in order to ascertain the cost of raising wheat in Europe, and the extent to which it could supply the wants of England. The large estates of Europe are owned by nobility and gentry, and are cultivated under their care, or rented to others. Mr. Jacob reported, that estates near Dantzic, in a most fertile district, produced good crops in 1824, and the wheat was sold, on the estate, at 72 cents per bushel, at which rate a loss of 20 per cent. was sustained. The wheat actually cost 86 cents per bushel, and two farmers in succession on one estate became bankrupt. Again, wheat at Warsaw cost 28 shillings, sterling, per quarter, and delivered in London, costs as follows:

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| | | |
|---|---|---|
| Wheat cost, at Warsaw, per quarter | | $6 36 |
| Shipping in boats | $0 12 | |
| Freight to Dantzic | 1 41 | |
| Waste, by rain, &c. | 0 74 | |
| Warehouse expenses at Dantzic | 0 48 | |
| Merchants' fees at Dantzic | 0 36 | |
| Freight and expense to London | 1 52 | |
| | | 4 63 |
| Total cost, $1 37½ per bushel | | $10 99 |

This without leaving any profit to the farmer. Now, while the agricultural portion of Europe has not advanced at all in the facilities of producing or transportation since that time, every section of the United States has become intersected by public works, laying open to market tracts of land that can, with less labor, yield double the product of any land in Europe. The principal work, the Erie Canal is now, by the liquidation of the New-York debt, rapidly getting into a position which will admit of reducing the tolls to a merely nominal rate—a movement which will compel a reduction on the part of all the other rival avenues to market. When, with propellers on the lakes, and no expense but freight to encounter on the canals, wheat passes forward to market through New-York, it must produce a price abroad which will leave the farmer of the West a handsome profit; but which cannot be competed with by the "noble" estates of Europe. Another element which operates in favor of the United States farmers, is that the income of rail-roads in the manufacturing districts of Europe, the amelioration of the condition of the people by increasing liberality of legislation, is improving their manufacturing districts and developing their powers of consumption, thus diminishing the surplus they may have to spare; and this displays itself in a remarkable manner in the fact, that a harvest but little less than usual has advanced prices this year in the continental ports to a point higher than they have been since the devastating wars of Napoleon, swept the grain countries of Europe, while they interrupted industry. No doubt the deficiency of the harvests has gone a great ways in advancing the prices; but the demands of the people at home for consumption must have assisted to a considerable extent, in producing the same effect as in England. In such a state of affairs, with an unusual supply of specie in England, no more auspicious moment could be desired to bring forward the "great measure of the age," and demolish for ever the corn-laws of England. That event must equalize the prices in England and the United States, by diminishing them there and advancing them here, making the actual cost of transportation, with merchants' profits, the only difference between the Atlantic states and Great Britain. The effect is likely to be three-fold;—a decline of prices there will necessarily throw out of cultivation, to some extent, those poor lands that were forced into cultivation by the fictitiously high prices maintained for wheat by the corn-laws. The home supply will thus measurably be diminished, while the same cause will greatly enhance the consumption. These two elements coming in aid of the actual annual deficit in the home supply, in years of good harvests, will swell the annual demand for foreign wheat to an extent perhaps double what it has been in some previous years. The average annual consumption of foreign and colonial wheat, during the five years ending with 1842, was 20,000,000 bushels. Under modified corn-laws, this will probably reach 30,000,000 bushels in usual years, to be increased by the increase of population in Great Britain. Such a demand must draw from every quarter of our vast agricultural country its utmost resources, pouring along the public works in swelling volumes, yielding large revenues to the states, discharging their debts and lightening the burden of taxation. Large and profitable sales of their produce will give the farmer the means of buying all the necessaries and comforts of life; and, in their prosperity, will flourish all the industry and manufactures of the country. The South will not fail to find, in the usual effect of cheap food abroad and prosperity among the farmers at home, a quickened sale for their great staple at improving prices. The prospect of future commercial prosperity, growing out of the removal of government restrictions upon trade, was never so great as now.

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## NOTICES OF NEW BOOKS.

Since our last issue, there has been a very perceptible, and we venture to say, refreshing check, in the outpourings of the press. For many successive weeks prior to the present month, scarcely a day passed without the appearance of some work which possessed strong claims to attention. The competition of publishers has tended to flood the market with standard volumes; and readers of taste, much as they have been delighted with the superior character of recent publications, have been in despair at doing them justice, so rapidly did they succeed each other. The pause, therefore, as we have said, is refreshing, as it affords time for a little retrospective reading, and will, doubtless, prove ultimately advantageous to sellers, as well as buyers. Want of space prevents us from noticing this month the new volumes of Wiley & Putnam's library and Appletons' new number of Michelet's France, and several other works.

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FRANCIS & Co.'s CLASSIC LIBRARY OF CHOICE PROSE AND POETRY.

Since our notice in the last review of this interesting series of books, two numbers have been added—"A Memoir of Felicia Hemans, by her Sister;" and "Tragedies, Sonnets, and Verses, by T. N. Talfourd." Both of these works will prove highly acceptable to the reading public, in their present economical and convenient form. The classical power and beauty of Talfourd's Ion, has long been acknowledged; and although his other tragedies are inferior, they contain splendid passages, and are very appropriately issued together. The Sonnets and Verses appended, are now, for the first time, published in this country. They are lofty in feeling, and highly finished in style—worthy the author of Ion. The Memoir of Mrs. Hemans, is undoubtedly the most authentic and pleasing account of her extant; and will command a large sale.

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*The Christmas Holy Days at Rome.* By the Rev. Wm. Ingraham Kip, M. A. New-York; D. Appleton & Co. 1846.

We have accompanied the author of this book in his excursions within and around Rome, with unexpected pleasure. The subject had been well nigh exhausted by travellers, and we scarcely looked for so much interest as these pages afford. Mr. Kip writes with genuine enthusiasm. He is evidently a cultivated and sincere man; and therefore a desirable guide in any scene, but especially in one so crowded with religious and historical associations, as the Eternal City. The distinctive feature in his book, is that he has made the Christmas Holy Days the nucleus, about which his observations cluster. He has much to say of the Catholic services; and, as it appears to us, in a remarkably just spirit. The chapters recording his visit to the tombs of the last Stuarts, to Mezzofanti the philologist, and to the studio of Overbeck, are among the most attractive, as they refer to subjects not previously so fully treated. We are pleased with Mr. Kip's considerate manner of estimating the Italian character; and the general tone of kindly intelligence with which he records his impressions. Those who have never visited Rome, will derive much gratifying information from this volume; and those who have, cannot fail to have their most agreeable remembrances awakened.

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*Handbook of Young Artists and Amateurs in Oil Painting.* By an American Artist. New-York; Wiley & Putnam. 1846.

This handsome volume should be in the hands of every painter. It is compiled from the celebrated Manual of Bouvier, with additions from other established continental writers. It contains elaborate directions for the preparation of the materials, and the use of the implements, of the Art. Is is designed both for a text-book in Academies, and for self instruction. An explanatory vocabulary is appended. We have never seen a work of the kind containing within such available limits, such an amount and variety of information as to the details of oil painting. It is eminently a practical book, and cannot fail to be of great service to the votaries of painting.

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*The Young Student, by Madame Guizot.* Translated by Samuel Jackson. New-York; D. Appleton & Co. 1846.

This little specimen of juvenile literature is worthy of more than ordinary attention. The wife of the distinguished French statesman, has been regarded as the Edgeworth of her country. She took

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a deep interest in education; and believing that children's books were vastly influential in giving direction to the opening mind, bestowed unwearied pains in weaving pleasant fictions upon a ground-work of important truth. Her attempts have been deemed remarkably successful; and we hope that the publishers of the "Young Student," will be encouraged by its sale, to issue translations of Madame Guizot's other books for the young.

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*The Greece of the Greeks.* By G. A. Perdicaris, A. M. New-York; Paine & Burgess. 1846.

The author of this work is well known as a gentleman whose lectures on Greece, some years ago, drew for him the warmest eulogiums, of select and discriminating audiences, particularly in Boston and Philadelphia. There was something in the mere fact of a Greek of talent and enthusiasm, educated in this country, undertaking to describe and vindicate his native land, which alone was fitted to charm the imagination. Mr. Perdicaris discussed the literary claims and political condition of his country, with rare beauty of diction and eloquence of expression. His mastery of English was remarkable. These lectures introduced him to the notice and friendship of many of our leading literary men. He soon after received the appointment of U. S. Consul at Athens. Within two or three years he has returned to this his adopted country, and established himself, we believe, with a view to permanent residence. The volumes before us are the fruit of his recent sojourn in Greece; and his excellent opportunities of acquiring information, his official facilities, his Greek birth and American education, all fit him to speak of the "Greece of the Greeks," with authority and interest. We have, accordingly, taken up his work with more than ordinary anticipations. We find it a well-arranged, sensible, and unaffected narrative of travels and residence in Greece. It differs from other similar books, in being chiefly limited to the facts of the present. There are, indeed, copious allusions to the Greece of antiquity; but only such as are absolutely requisite to make modern Greece intelligible. Mr. Perdicaris has brought together, in a pleasing shape, the principal circumstances and influences now operating on the destinies of his country. He says that the most striking feature of her condition, is the "want of proportion between the magnificence of the government and the poverty of the country." Popular education is represented as on the advance, and the prospects of the land in all respects, since the last revolution, are highly encouraging. The classical reader will find much interest in the descriptions of the present aspect of Sparta, Marathon, and other hallowed localities; while our own countrymen, will linger with pleasure over the pages devoted to "Missolonghi," and the noble memories, which, even in its existent desolation, it retains of Byron,—the beauty and manners of the queen,—the tomb of Marco Botzaris, whose name has been consecrated by Halleck—and the deserved praises of the American Missionaries. Society, localities, and politics, are ably discussed; and the volumes are very neatly printed, and contain several lithographic illustrations.

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The Modern Standard Drama. Edited by Epes Sargent. Vol. I. New-York; Wm. Taylor. 1846.

The history of the drama involves a problem, equally remarkable with that of painting. The latter art reached its acme in the fifteenth century; and while popular education and science have steadily advanced, the old masters, as they are significantly called, yet stand alone in their fame. A somewhat equal destiny seems to have obtained in regard to dramatic literature. Shakspeare has never been approached in the entireness of his grasp of the genuine elements of the drama, while, for earnestness, power, intense sympathy with humanity, and the frank, bold recognition of her attributes, the old English dramatists, from whose plays Charles Lamb gleaned so delectable a volume, retain their freshness and originality unsurpassed, and but seldom approached, to the present hour. We have been led into these remarks by the collection of "Popular Acting Plays," mentioned above. They have each a well-established place in public estimation, and serve as the mirror of existent taste, in the department of literature they represent. How much inferior they are, in point of vigorous delineation of character, to the earlier models of the art, need not be said. In fact, they strikingly evidence the truth, that the dramatic features of life have diminished,—that reflection has taken the place, in no small measure, of action; and peaceful, domestic habits, and uniformity of manners, narrowed the scope of the play-writer. On the other hand, there is a moral tone and refinement of thought, scrupulous regard to taste and decorum, in the Modern Standard Drama, which proclaims how far social life has advanced in correctness and intelligence. All these dramas bear the impress of genius; but it is genius chastened by scholarship, and moulded by character. They do not represent human nature in its broad, Shaksperian outlines—but only under the guise of certain traits and epochs. Ion, with which the

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book opens, is conceived in the spirit, and cast, essentially, in the form, of the classic drama. Yet many of its sentiments are the offspring of Christianity, and have a self-sacrificing and delicate beauty, which breathes of the age of Wordsworth, rather than of Pericles. Fazio is a glowing personification of passion—but it is softened and rounded by scholarly diction and carefully evolved imagery. The School for Scandal, is undoubtedly the best comedy since Congreve. The plays of Bulwer and Knowles are ingenious and poetical; yet they deal rather with sentiment than character. Epes Sargent is the editor of these volumes, and has affixed very appropriate notices to each play. The collection is made with judgment, and neatly, as well as economically, issued.

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FOWLER'S PRACTICAL PHRENOLOGY—Presenting a concise, elementary view of Phrenology; Remarks on Temperaments; also, describing the primary mental powers in seven different degrees of developement, the mental phenomena produced by their combined action, phrenological developements, character, talents, &c. New-York: Fowler & Wells, 131 Nassau-st.

THE PRINCIPLES OF PHYSIOLOGY APPLIED TO THE PRESERVATION OF HEALTH. By Andrew Comb, M. D., with Wood-cuts and Notes, by O. S. Fowler. New-York: Fowler & Wells, 136 Nassau-st.

Both of these are valuable works, published in a neat and durable form; they should be carefully read, especially by parents. The connexion between physiology and the operations of the mind, is, of all the departments of education, too little studied and understood by parents or those who have the training of youth. How many of the youth of the land ripen into manhood or womanhood with constitutions impaired and intellects destroyed—both body and mind in such a condition as either to become morbid and sickly at the first touch of affliction, or to lead the suffering and degenerate being into blighting excesses?

Comb's Physiology has long been a standard work. This edition contains such brief notes as the editor has thought necessary to show the dependence and connection of the two subjects. The former is a plain, practical work. It gives the details of phrenological developement, and discusses the character and mental power to which the different degrees of training will lead. The study of phrenology in this connection is, doubtless, the best method of pursuing it. The anatomy of the human frame—the wonderful dependence and harmony of its parts, is a subject on which there is no prejudice; and, commencing with the study of physiology, and looking thence to its relation to phrenology, the truth of the latter, if it have any, can but be more readily seen. It becomes more fruitful in points bearing on the conduct of daily life. And while the parent or the teacher may not understand the mysterious connection between mind and body, they can both see and profit by the results of experience, and of observation.

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*An Essay on the Development of Christian Doctrine*, by JOHN HENRY NEWMAN. D. Appleton & Co., New-York—p. 206.

There would be little to interest the rational reader in this book, had it appeared unattended by circumstances of peculiar agitation. The controversy in the Church of England, which has been so manifest, earnest, and sometimes vehement, for the last decade of years, has become rather the property of the world abroad, than the *peculium* of an individual sect of Christians. Great principles of human right, liberty, and duty, for which past generations of men have been content to suffer much, and to lay down their very lives, are concerned in this struggle. And as it is impossible for England to be convulsed, without the whole civilized world feeling the impression,—so this especial agitation has touched the interests, and awakened the concern of multitudes who are not in any manifest way connected with the immediate actors in the scene. Wise men discerned at the opening of the discoveries which the "Oxford agitators" were making, that the process of their system must lead consistent men to Rome. They are not surprised to know, therefore, that near half a hundred clergymen of the English Established Church have already followed this tendency to this specified result. Where the movement will end, short of the complete dismemberment of that Church, or its entire separation from the power of the state, it requires a wiser being than man to say. Mr. Newman has been one of the trio of leaders in this movement,—and the present book is his apology for his separation from the Church in which he had long ministered, and his union with Rome. But there is in it nothing, save the assumption, without a show of argument, or a reference to the authority of Scripture, of all the doctrines of the Roman Church,—and an attempt to account for, and defend these, as the necessary results, not of what are universally, acknowledged as Christian doctrines, but of each other. The perfectness, and the authoritative inspiration of the Scriptures are wholly set aside. "Scripture no where recognizes itself, or asserts the in-

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spiration of those portions which are most essential," is one of the author's principles. The infallibility of the Pope, is essential to make up "the completeness of Scriptnre," in his view—and from the assumptions thus of the whole subject, without an attempt at proof, he proceeds with his developments. The same concessions might prove any other system with as much accuracy as the one which he brings out of them. There are displayed, extensive reading and a remarkable collection of illustrations. But the arguments are wholly incoherent, a mere congeries of assumptions, and the moral principles are exceedingly low. Of the latter assertion, perhaps the following extract is a sufficient exhibition:

"The doctrine of post-baptismal sin," (by which he means sin after baptism, for which there is in this world, no promised forgiveness,) "especially when realized in the doctrine of purgatory, leads the recipient to fresh developments beyond itself."—"He who believes, that suffer he must, and that delayed punishment may be the greater, will be above the world, will admire nothing, fear nothing, desire nothing. He has within his breast, a source of greatness, self-denial, heroism. This is the secret spring of strenuous efforts and persevering toil, of the sacrifice of fortune, friends, ease, reputation, happiness. There is, it is true, a higher class of motives which will be felt by the saint; who will do from love, what all Christians who act acceptably, do from faith. And, moreover, the ordinary measures of charity which Christians possess, suffice for securing such respectable attention to religious duties, as the routine necessities of the Church require. But if we would raise an army of devoted men, to resist the world, to oppose sin and error, to relieve misery, or to propagate the truth, we must be provided with motives which keenly affect the many. Christian love is too rare a gift, philanthropy is too weak a material for the occasion. Nor is an influence to be found to suit our purpose, besides this solemn conviction which arises out of the very rudiments of Christian theology, and is taught by its most primitive masters—this sense of the awfulness of post-baptismal sin. It is in vain to look out for missionaries for China or Africa, or evangelists for our great towns, or Christian attendants on the sick, or teachers of the ignorant, on such a scale of numbers as the need requires, without the doctrine of purgatory. For thus the sins of youth are turned to account by the profitable penance of manhood; and terrors which the philosopher scorns in the individual, become the benefactors, and earn the gratitude of nations," p. 194.

Of principles like these, we can but say, that the avowed development of the motives of Christianity has brought out nothing but the native principle of paganism; and sooner than we could adopt such a system, we should say with the rejecter of Christianity, "*Sit anima mea cum philosophis.*"

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*Sketches from Life*, by LAMAN BLANCHARD. Edited with a Memoir, by Sir EDWARD LYTTON BULWER, Bart. New-York. Wiley & Putnam, 1846.

This is decidedly the most attractive number of the Publisher's Library of Choice Reading, which has recently appeared. The name of Laman Blanchard has long been familiar to the readers of the English Magazines, and many will recall his biography of L. E. L. with pleasure. His native endearments fitted him for the career of a man of letters, but his circumstances, during his whole life, were such as to render his intellectual development fragmentary and brilliant, rather than sustained and continuous. He was an editor and contributor to the periodical literature of the day for more than twenty years. His writings were chiefly the result of observation, and confirmed sketches of life and manners, genial criticism and political paragraphs. There was often in the former an exquisite simplicity and cheerfulness, and the latter were frequently enlivened by a more cordial sympathy than is usual with the literary party-work of the day. As evidences of genius, some of Blanchard's Sonnets are, in our view, more interesting than any other of his productions. Bulwer quotes some remarkable lines from Shean, in the memoir attached to these volumes. This little piece of literary biography would add another tragic chapter to D'Israeli's Calamities of authors. Appended to the lively articles of the departed, it reminds us of the description of the Plague, which forms the Introduction to the Decameron. Never did a more gloomy portal lead to any palace! It seems that the industry, versatility, and poetic spirit of Blanchard, were not his only claims upon our admiration. He seems to have endeared himself to all, by singular urbanity, affectionateness, and Catholic taste. His biographer well observes, that these gleanings from his writings should form part of every Belles-Lettres Library.

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*Tasso's Jerusalem Delivered.* Translated by FAIRFAX. In Two Parts. New-York. Wiley & Putnam, 1846.

A most acceptable book this will prove to the numerous students of Italian literature, to the lovers of poetry in general,

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and we may add, to those who cherish a taste for the old English writers. Within such narrow limits we cannot trust ourselves to descant upon Tasso and his noble epic, although the theme is both fruitful and inviting; yet, does not the world—or that portion of it endowed with imagination and sensibility—know it by heart? The romantic love, the moral suffering, and the triumphant death of the bard of Palestine, have endeared a name which poetic genius and the award of centuries has consecrated. Fairfax, as a translator, has become classical, and, as is observed in the introduction to these beautiful volumes, ranks with Chapman, whose English version of Homer is soon to follow in the series. A life of Tasso, and one of Hunt's dainty criticisms—exhibiting the beauties of the Jerusalem Delivered—are very appriately published by way of introducing the reader to the poem itself. There could not have been selected a better work for the Foreign Series, of the Publisher's "Library of Choice Reading," than this.

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*Life in California.* By AN AMERICAN. New-York; Wiley & Putnam. 1846.

Many of our readers doubtless remember the interesting descriptions of California, contained in "Two Years before the Mast." The subject was, then, quite novel. We perceive, however, that it has recently been made the subject of a popular lecture, by a Boston merchant—the same gentleman to whom this book is dedicated—who was one of the first explorers of the region for purposes of trade. The neat duodecimo volume mentioned above comprises a very intelligent, and, we should judge, faithful account of a residence of some years in California. The author who modestly withholds his name, is, we understand, Mr. Robinson, one of our most enterprising merchants. He has done the public good service by this useful work. He describes the country elaborately, narrates many striking incidents, and gives a detailed account of the missionary labors in that part of the world. The value of the book is much enhanced by the addition of an ingenious manuscript, translated from the Spanish of a Franciscan monk, giving an historical account of the Indians of California—their origin, customs and present condition.

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*The Cousins.* By the author of CONQUEST and SELF-CONQUEST. New-York; Harper & Brothers. 1846.

Here is another well-written and useful story for the young. The previous books of this writer placed her in the same rank with Miss Sedgwick in the same department. She has now realized the popularity she deserved. "Praise and Principle" had an extensive sale, and is followed by the present story, which, although intended for more juvenile readers than its predecessors, is equally ingenious and useful.

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*A Practical Treatise on Healthy Skin; with Rules for the Medical and Domestic Treatment of Cutaneous Diseases.* By ERASMUS WILSON, F. R. S. Illustrated with six Steel Engravings. New-York; D. Appleton & Co.

This is one of the most valuable works yet published on this subject. It comprises the author's own, and the discoveries of others, a new classification of cutaneous diseases, and a treatise on their diagnosis, pathology and treatment. It embraces a scientific and popular description of the skin, discusses at length its functions, gives a full and interesting exposition of the influence of diet, clothing, exercise, ablution and bathing on the health of the skin, with directions upon each topic, and also all the diseases to which, under any circumstances, it is exposed.

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OUR PORTRAITS. — Messrs. Anthony, Clark & Co. 247 Broadway, from whose beautiful daguerreotypes our engravings have been made, have recently added to their national gallery some of the most perfect specimens in this line of art, which are probably to be found in this country or in Europe. Among these are the likenesses of the lamented INMAN, (a beautiful collection of whose works are now exhibiting at the "ART UNION," for the benefit of his family,) the artist Weir, and others of the distinguished citizens of New-York. We refer to these artists in connection with the expensive engravings which have recently embellished the Review, both as an evidence of their success in bringing the art to a high degree of perfection, and as an inducement to our friends, in view of the promise to continue these portraits, to engage actively in extending the circulation of the work. Many of these will prove to be the only faithful and life-like representations of these men in existence, as was the case with our venerable and departed Jackson. This firm have now the most extensive and complete arrangements for taking daguerreotypes of any size—for a locket, breast-pin, or large frame; and their rapidly increasing patronage from our citizens and distinguished visitors in New-York is evidence of their success. In force, beauty, and truthfulness of expression, their likenesses are unsurpassed.

☞ We have remaining on hand a few of the proof portraits of Gen. Jackson, printed on large paper, and designed for framing—a life-like and almost speaking likeness, taken just before his death, which may be had by any of our friends at $2 each, in current funds, remitted post-paid.

# MONTHLY LITERARY BULLETIN.

THE HARPERS, 82 Cliff-st., have recently issued The History of Cotton, Woollen, Silk and Flax, ancient and modern. 1 large 8vo. vol. Also, other valuable works, which we have not space to notice. They have also issued The Robber—a tale, by G. P. R. James; 2 vols. in 1, 12mo.—The Cricket on the Hearth—a fairy tale of Home. By Chas. Dickens.—The Wandering Jew, illustrated—in large type, at 25 cts., has reached the 11th No. Their Bible, and Shakespear, both superbly illustrated, are nearly completed.

THE APPLETONS have now ready, the first and second Latin Book of Arnold's series. Arnold's method of teaching and acquiring languages is substantially that of Ollendorf, the principle of which is presented in a brief paragraph in their Bulletin:

"Mr. Arnold, in fact, has the good sense to adopt the system of nature; a child learns his own language by *imitating* what he hears, and constantly *repeating* it, till it is fastened in the memory; in the same way, Mr. A. puts the pupil immediately to work at Exercises in Latin and Greek involving the elementary principles of the language—words are supplied—the mode of putting them together is told the pupil—he is shown how the ancients expressed their ideas; and then, by repeating these things again and again, *iterum iterumque*, the docile pupil has them indelibly impressed upon his memory and rooted in his understanding."

They have in preparation "Tasso's Jerusalem Delivered," translated into English Spenserian verse, by J. H. Wiffen; "History of the Later Roman Commonwealth," by Thos. Arnold, D. D.—the two 8vo. vols. of the English edition to be published in one 8vo. vol., uniform with the same author's "Early History of Rome," recently printed in two vols.; A second edition, in large type, of "The Life and Correspondence of Thos. Arnold, D. D.," by the Rev. A. P. Stanley, M. A. The first edition of this admirable biography, (printed in small type,) being exhausted, the publishers, from the increasing demand, and in conformity with a desire expressed by many, that it should be re-issued in a larger and more readable form, will shortly issue the new edition, in 1 vol. 8vo

A new "Life of Martin Luther," by M. Michelet, Prof. of History, and Historian of the History of France. A life of this great reformer, from so able a writer as M. Michelet, will be read with deep interest; A History of the English Revolution of 1668, by M. Guizot, Prime Minister of France, and author of "General History of Civilization in Europe."—"Carpenter's Manual of Physiology;" Dr. Royle's "Manual of Materia Medica and Therapeutics;" "The Life and Letters of Robert Campbell," by Dr. Beattie; "A Standard Pronouncing French Dictionary of the French and English Languages," in two parts, 1 vol. 12 mo. by Grabreil Surrenne.

The same house have just issued Dr. Arnold's "Rugby School Sermons." 1 vol. 12mo., 75 cts. A volume of Sermons from the pen of Dr. Arnold, addressed, as these were, to his pupils, on practical subjects, and in illustration of the great principles which must enter into the formation of every good and substantial character, will be widely read, and with interest. We commend it to all who are engaged in the instruction of youth. Since the days of Roger Ascham, no man has given himself with more assiduity and energy to the high and responsible duties of the teacher, or has done more to ennoble and dignify the office, than Dr. Arnold. —They have also published "New Netherland; or, New-York under the Dutch." By F. B O'Callaghan —a handsome 8vo. vol. $2 50; and "The History of Rome from its Earliest Period," by Dr. Arnold, in two 8vo. vols., $5. Notices of both will be given in another number.

The following are valuable works recently issued:—The Attractions of the Cross; designed to elucidate the leading truths, obligations and hopes of Christianity, by Gardiner Spring, D. D. 1 vol. 8 vo M. W. Dodd, publisher, N. Y.—A Discourse, by Rev. Dr. Barnes, of Philadelphia, on the "Virtues and Public Services of William Penn":—Horace Mann's Lectures on Education; Fowle & Capen, Boston. The ninth volume of Sparks' American Biography; Little & Brown, Boston. Dr. Sprague's Lectures to Young Men; new edition, 12mo. 75 cts. Dr. Wan's Life of Henry Ware, Jr.

Youatt on the Horse, with a general history of the Horse—a dissertation on the American trotting-horse, how trained, &c., and an Essay on the Ass and Mule, by J. S. Skinner, 1 vol. 8vo.—Clater and Youatt's Cattle Doctor—or, Diseases incident to Cattle, Sheep, and Swine, with an Essay on the Improvement of Oxen, and the Improvement in breed of Sheep, by J. S. Skinner, 1 vol. 12mo.—Clater on the Diseases of the Horse, with notes and additions, by J. S. Skinner, 1 vol. 12mo. Philad., Lea & Blanchard. 1845.

American Military Law and Courts Martial, with suggestions for their improvement. By John O' Brien, Lieut. in the U. S. Navy. Lea & Blanchard, Philad. 1846.

Fowler's Phrenological Journal—issued monthly, 32 pages in each No. $1 per annum in advance.—Love and Parentage, applied to the Improvement of Offspring—including important directions and suggestions to lovers and the married. By O. S. Fowler, Practical Phrenologist. Fowler & Wells, 151 Nassau-st., New-York.

WILEY & PUTNAM have recently issued Tasso's Jerusalem —Godfrey of Bolloigne, or the Recovery of Jerusalem, done into English heroical verse. By Edward Fairfax—1st American from the 7th London edition, to which are prefixed an Introductory Essay, by Leigh Hunt, and Lives of Fairfax and Tasso, by Charles Knight, in two parts, 50 cts each, or bound in red cloth $1 50—forming the Library of Choice Reading Nos. 48-49.—Oliver Cromwell's Letters and Speeches, with elucidations and connecting Narrative. By Thomas Carlyle—complete in four Nos., printed on fine paper, forming Nos. 39 to 42 of the Library of Choice Reading, $2—in extra cloth $2 50. Library edition in 2 large vols. 8vo., in extra cloth $3 50—also, a cheap edition.—The Pilgrim in the Shadow of the Jungfrau Alp. By the Rev. Geo. G Cheever, D. D. 1 vol. 12mo.; beautifully printed, forming No. 11 of the Library of American Books, price 50 cts.—Life in California, during a residence of several years in that territory, comprising a description of the country and the Missionary establishments, with Incidents, Observations, &c. &c., illustrated with numerous engravings. By an American—to which is annexed a historical account of the origin, customs and traditions of the Indians of Alta-California, translated from the original Spanish manuscript. 1 vol. 12mo., with engravings, $1 25.—A Sequel to Vestiges of the Natural History of Creation. By the author of that work. 1 neat vol. 12mo., uniform with the Vestiges. 50 cts.—The American House-Carpenter—new edition, enlarged and improved—a treatise upon Architecture, Cornices and Mouldings, Framing doors, windows and stairs—together with the most important principles of practical Geometry. By R. G. Hatfield, Architect. 1 handsome vol. 8vo., beautifully printed, and well bound in extra cloth. Price $2.

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We would call attention to the advertisement in this No. of GAYLOR'S Double Patent Salamander Safe—one of the oldest Safe Makers in the city—to the testimony of merchants present at the burning of Iron safes, at Vauxhall Garden, in January last, as therein stated, and to the opinion of these merchants as to the fairness of the trial, and the superiority of this safe. We hope hereafter to issue an advertising sheet of this nature, of matters which may prove to be of value to our mercantile friends.

We refer, also, to 2d and 3d pages of the cover, and to the new invention described in one of the advertisements.

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THE

# UNITED STATES MAGAZINE,

AND

# DEMOCRATIC REVIEW.

VOL. XVIII. MARCH, 1846. No. XCIII.

## ENGLISH AND FRENCH INTERVENTION IN THE RIO DE LA PLATA.

WE do not propose to discuss, at present, the broad question of the right of one government to interfere, by force, in the affairs of another; nor even the more limited question of European intervention in the concerns of America. For our immediate object, it will suffice to assume, that, if any one government have the right, upon general principles of public law and of justice, to intervene aggressively in the affairs of another, any third government must, on the same premises, have equal right to interpose defensively, for the purpose of preventing, obstructing, or defeating such intervention. If England, for example, as a member merely of the great family of nations, or as a potential member of that more closely connected family of nations belonging to Christendom, be so affected by the disturbed condition of the countries of the Rio de la Plata, as to have cause to intervene for their pacification, then the United States, affected injuriously by that very intervention, have not less cause of interest, nor less right of intervention, in the proceedings of England. These are self-evident consequences of the assumed principle. While, therefore, we cordially approve and second the views of the general question proclaimed by the President of the United States in his late annual Message to Congress, we purposely confine ourselves, however, in the subsequent remarks on the events of the Rio de la Plata, to narrower considerations, for the reason that we desire to measure and to judge those events by the very standard of right assumed by France and England as the justification of the indirect and covert war, which they are now prosecuting against the Argentine Confederation.

Let us premise a brief view of the state of things in the countries of the Rio de la Plata at the moment when the English and French governments appear on the stage.

The British colonies in America, on separating from the mother-country, passed naturally, and almost spontaneously, into the form of a single confederation. But the Spanish colonies, scattered over a much larger extent of the continent,—sundered, some of them by seas, and others by lofty mountains or wide deserts,—dissociated politically as well as geographically,—entering on the career of independence without concert of operations, or even of time, —forming, in the course of events, occasional or partial associations of government or of alliance, but never any general confederation,—these colonies ended by settling down into a number of distinct, and sometimes of hostile republics. To prevent this result, to combine all the colonies of Spanish America in one Federal Republic, in close alliance with the United States, was that high conception and grand ambition of the life of Simon Bolivar, incidental to which was the idea of the American Congress of Panamá. In

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the course of the progress of these events, it was the constant aim of each one of the old colonial subdivisions of the Spanish empire to continue to constitute one government. Thus the Mexican Republic assumed to be the successor of the colonial administration of New Spain; and the Argentine Confederation, of that of Buenos Ayres. But the same circumstances of local interest, or of personal ambition, which had prevented all the colonies from forming one confederation, also prevented, in some cases, the several parts of a colonial administration from combining cordially into one republic. In this way, Paraguay, on the upper waters of the Rio de la Plata, and Uruguay at the mouth of that river, (sometimes called the Banda Oriental from its position between the Rio de la Plata, its branch the Uruguay, and the ocean,) though formerly dependent on the colonial administration of Buenos Ayres, came to be distinct republics, and each separate from the Argentine Confederation. The peculiar geographical position of Paraguay, and the policy of isolation and of reserve infused into its administration by the late Dictator Francia, who so long conducted the government, have preserved that republic from foreign conflicts, as well as from internal disorders, while it has remained unrecognized either by the Argentine Confederation, or by the other states of Europe and America. But the situation of Uruguay, on the other hand, lying on the sea-coast, interposed between Buenos Ayres and Brazil, has rendered it the theatre of almost incessant war, the possession of it having been continually disputed between the Brazilian Empire, the Argentine Confederation, and chiefs of its own, until, at length, in 1828, its independence was acknowledged by these two powers, in a treaty alleged to have been mediated by Great Britain, and confirmed in 1840, in a treaty concluded by Buenos Ayres with France. Peace, however, in Uruguay, did not follow the acquisition of independence; for it continued to be distracted by domestic factions; and, at the beginning of the present train of events, its principal city, Montevideo, was held by one chief, Rivera, (or his successor in the same interest,) supported mostly by French and other foreign residents, whilst Oribe, another chief, and the regularly elected President of the Republic, held all the rest of it, aided by an auxiliary force under his orders from Buenos Ayres, the city of Montevideo itself being closely invested by sea and land, and on the point of surrender, which would have concluded the war and restored peace to all the countries of the Rio de la Plata.

This was the moment selected by the British and French governments to interfere for the purpose, professedly, of the pacification of the Banda Oriental.

In this act of intervention, France and England assume the style of "Mediating Powers." They profess to act in perfect concert, and both to occupy the same relation of right, under treaty or otherwise, to the Argentine Confederation, and to the whole question of the war in Uruguay. They pretend, also, to be actuated alike by disinterested motives, and pacific ones; namely, the putting an end to war in the Rio de la Plata. Finally, they make ostentatious pretensions of regard of humanity, observance of the law of nations, and respect for the independent sovereignty of the Argentine Confederation. Alleging such pretensions, they have proceeded to command the government of Buenos Ayres to recall its auxiliary forces from the Banda Oriental, and, in default of the submission of that government to their peremptory summons, to seize the Buenos Ayrean ships of war, raise the siege of Montevideo, attack and garrison sundry points on the coast of the Banda Oriental, take possession of the Buenos Ayrean island of Martin Garcia, place under blockade the ports and coast of the state of Buenos Ayres, and force their way up the river Paraná, which is the main stream of the Rio de la Plata, running through the Argentine states of Buenos Ayres, Entre Rios and Corrientes, and separated from the territory of Uruguay by the state of Entre Rios. In a word, to the pre-existing war in Uruguay, whose duration they have protracted, they have added a war of aggression of their own in the heart of the Argentine Confederation. These professions, pretences and acts, we propose to strip of all diplomatic disguise, and bring to the touchstone of justice and public law, as understood and practised in Europe, and especially by France and England themselves.

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In the first place, the name under which they act, that of "Mediating Powers," is obviously a misnomer, not to say a falsehood; for mediation between two conflicting powers, on the part of a third, implies counsel, peaceful intermediation, interposition accepted by the belligerents; whereas, the least fact here is one of hostile intervention, forced upon independent governments at the cannon's mouth. We begin, therefore, with encountering a disingenuous and simulated character assumed by the intervening powers.

In the second place, Great Britain pretends, falsely, to stand in the same political relation to the question of the Rio de la Plata that France does. This pretence appears in the "Declaration of Blockade," issued by the Baron Deffaudis and Mr. Ouseley, the respective plenipotentiaries of France and England, which document, in regard of its relation to the United States and other neutral nations, as well as its general tenor, might, with greater reason, be termed a "Declaration of War against Buenos Ayres, by France and England." For, after reciting the ground of original right under which the two allies commenced their intervention, it proceeds to give reasons for the subsequent acts of hostility against the Argentine Confederation. To these reasons for changing mediation into war, we shall refer by and by: our present object is with the alleged *motives of mediation*, which are stated as follows:

"The undersigned plenipotentiaries were charged by their governments to effect the pacification of the Republics of the River Plate, and to secure the entire and real independence of the State of the Uruguay. Such are the positive terms of the treaties of 1828 and 1840, signed by the government of Buenos Ayres, and in the conclusion of which the governments of the undersigned took part more or less directly. But the war carried on by the government of Buenos Ayres against the State of Uruguay, is manifestly opposed to the independence of that state, inasmuch as its declared object is to force a change in its government. On the other hand, this desolating warfare, continued with no national or legitimate object, but for the ruin and annihilation of the State of the Uruguay, is scarcely less disastrous to the other states of the River Plate in its effects on their commercial prosperity: thus causing most serious injury to the commercial nations of Europe and America; and more especially to those which the undersigned have the honor to represent.

"The imperative duty, therefore, as well as the legitimate interests of the governments of the plenipotentiaries could no longer allow the continuance of this war, which has already lasted much too long.

"The undersigned were further instructed to obtain, if possible, by amicable negotiations, the pacification of the River Plate; during the greater part of their stay at Buenos Ayres, they accordingly made every effort, and separately and conjointly employed every means of conciliation that friendly and confidential communications could offer, in the hope of meeting a corresponding spirit on the part of the government of Buenos Ayres.

* * * * * *

"But the government of Buenos Ayres, while reiterating the strongest assurances of its desire for peace, and its respect for the independence of the Uruguay, never failed to reject or evade every proposal tending to the cessation of hostilities, and has never, for a moment, relaxed in its efforts for the subjugation of the Oriental State.

"It became, therefore, the imperative duty of the undersigned to intimate officially to the government of Buenos Ayres the just requisitions of the mediating powers."

Both powers, be it observed, assume to act in the execution of treaties, signed by the government of Buenos Ayres, *in the conclusion of which they took part more or less directly*, as if both treaties communicated an identity of right and a community of interest to England as well as to France. And yet, whilst one of these treaties gave to France a full and perfect right *to* intervene on the *casus fœderis* arising, neither of them imparted the slightest right of intervention to England. To prove this position we must recur to the text.

France and Buenos Ayres are sole parties to the treaty, concluded in 1840, the seventh article of which is in the following words:

"The government of Buenos Ayres will continue to consider the Oriental Republic of Uruguay in a state of perfect and absolute independence, in the manner stipulated in the preliminary convention of peace, concluded the 27th of August, 1828, with the Empire of Brazil, without prejudice to its natural rights, whenever justice; the honor and security of the Argentine Confederation shall demand it."

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We translate the article literally, preserving the obscurity of the last words, —*whenever justice, &c. shall demand* IT, —for the same obscurity, or rather inartificial expression, is found in the Spanish and French: "sin pérjuicio de sus derechos naturales, toda vez que lo demanden la justicia, la honra y la seguridad de la Confederacion Argentina" in the one, and "sans préjudice de ses droit naturels, toutes les sois que le demanderont la justice, l' honneur et la sécurité de la Confederation Argentine" in the other; the honest meaning of which is apparent enough, namely, that the continued recognition of the independence of the Oriental Republic is not to prejudice any natural right of the Argentine Confederation in the premises, in regard to which, the case arising, the Buenos Ayrean government is free to do whatever justice or its honor and security may require.

France, of course, has apparent right, on general principles, to demand of Buenos Ayres the punctual execution of this treaty; in which event, the true questions would be, first, whether the *casus fœderis* existed, and (that being established,) secondly, whether the proceedings of France, in the demand of execution, were conformable to general justice, and to the rights of other powers.

Buenos Ayres, moreover, in the treaty with France, agrees that its new engagement shall be deemed co-extensive with the stipulation *in pari materia* contained in the treaty of 1828, between Buenos Ayres and Brazil, of which the material part is in these words:

"It being a duty of the two contracting governments to aid and protect the Province of Montevideo, until it shall be completely constituted, the said governments agree, that if before the constitution of the said Province shall have been sworn to, and for five years afterwards, tranquillity and security shall be disturbed within it by civil war, they will furnish to its lawful government the necessary aid to maintain and support it. Which term being elapsed, all protection furnished by this article to the lawful government of the province of Montevideo shall cease, and the same shall remain considered in a state of perfect and absolute independence."

Of the true construction of the concluding clause of the article we shall speak hereafter. Suffice it to say, in this connection (at least for the argument's sake) that the terms of the treaty of 1840, both in itself and its reference to that of 1828, would seem *as between European powers*, (that is, without considering the question of European interposition in the concerns of America,) to give to France the right to demand of Buenos Ayres to respect the independence of Uruguay.

But what has Great Britain to do with these treaties? She is not a *party* to either of them. That appears on the face of each. Nor has the Argentine Confederation, at any time, entered into covenants with England regarding the independence of Uruguay. What, then, do the plenipotentiaries mean by saying that England "took part more or less directly" in the conclusion of these treaties? To answer this question, we have to recur to the more explicit statements in certain separate but concurrent communications addressed to the Buenos Ayrean government by the Baron Deffaudis and by Mr. Ouseley, in the nature of a summons to surrender, before the commencement of hostilities: which communications have been published in Buenos Ayres. There, Mr. Ouseley, (in common with the Baron Deffaudis,) after citing the treaty of 1828 as "concluded under the mediation of England, between Brazil and the Argentine Confederation," and that of 1840, as concluded "between France and the Argentine government," assumes the "right of France as principal in one treaty, and *that of England as mediatrix in the other*," to demand a cessation of the belligerent acts of Buenos Ayres in Uruguay.

We hardly know how to speak in terms of respect or forbearance of such a pretension as this, which would be ridiculous if it were not monstrous. It is absurd, in the first place, to pretend that a *mediatory* power becomes thereby the perpetual guarantor of a treaty between other powers, but to which itself is no party. In the second place, if England were, (which is she not, either expressly or impliedly,) the guarantor of the treaty of 1828, she could act as such, lawfully, only as the second and at the request of one of the parties, which in this case would be Brazil. But Brazil, though she contemplated, originally, taking a part in this intervention, yet, long since, desisted from that purpose, and has carefully held herself

aloof. So that England begins by perverting mediation into guarantee, and then proceeds to act as guarantor without the participation of the principal,—thus treating with equal contempt the independence of Brazil as well as that of Buenos Ayres.

But a still graver question arises in regard to the interference of England. The British government assumes the rights of a *guarantor* of the Brazilian treaty of 1828; and even the Baron Deffaudis, incautiously, or in the excess of his misdirected zeal to justify the *surveillance* which England has undertaken, of himself, his cause and his country, more than once refers to the British government as such guarantor. This assumption we *know* to be false. The treaty speaks for itself on that point. But was England even the *mediatrix* of this treaty? The Buenos Ayrean government positively denies it; and in view of the prevarication (in regard to France) which marks the early stages of the English intervention, and the manifest falsity of the pretensions of the British government to be a guarantor of the treaty, we are disposed (without, however, having fully investigated the question) to repose faith, in regard to the whole matter, rather in the representations of Buenos Ayres than in those of England.

We have always regretted that, when the Baron Deffaudis and Mr. Ouseley addressed Buenos Ayres in demands of the same tenor, and putting their intervention upon identical grounds of right, she did not at once distinguish between them,—saying to Mr. Ouseley, we have accepted your mediation as we have that of Mr. Brent, but we cannot entertain discussion with you on any other premises; and to the Baron Deffaudis, you have treaty rights, which we are ready to consider, and if you push those rights to the issue of war, we throw ourselves on the mediation of Mr. Brent and Mr. Ouseley. Perhaps this course might have been better for all parties. But we can well conceive that the Buenos Ayrean government, summoned thus peremptorily by the plenipotentiaries of two great powers, with twenty ships of war at their back, to decide on the spur of the moment a question involving the very sovereignty of the Confederation, may not have had calmness or judgment to distinguish critically between the more or less right of either of those powers.

In fine, ostensibly, and upon the face of the transaction, France intervenes to demand of Buenos Ayres the execution of treaties to which she is a party, but England intervenes as a volunteer; or rather, England thrusts herself in to intermeddle, while France does but interpose in her own right.

It becomes natural to inquire, therefore, in the third place, how England got into this position, and what her true motives were for intermeddling in the affairs of Uruguay.—Is it, as pretended, in the spirit of affectionate concert with France that she acts? Is this intervention one of the incidents of the *Entente Cordiale* which binds together Louis Philippe and Victoria?—Just the contrary. England has engaged in a wicked war against Buenos Ayres, partly from interested motives, which we shall endeavor to explain in the sequel, but primarily, out of *jealousy of the imputed ambition of France.* This appears conclusively from the avowals of the Earl of Aberdeen and of Mr. Ouseley to several ministers of the Buenos Ayrean government, and also from the actual proceedings of Great Britain. And the fact is so curious, that we shall exhibit the proofs of our assertion in some detail.

After the plenipotentiaries of the "Mediating Powers," as they facetiously denominate themselves, had proceeded to make war on Buenos Ayres, that government provided to publish,—as of right and reason it well might,—the dispatches of the Baron Deffaudis and Mr. Ouseley, and sundry communications from its own ministers on the general subject; and from these documents we draw the subsequent particulars regarding the motives of the British government.

The Argentine minister, in London, writes to his government, under date of February 21st, 1845, as follows:

"I have just come from a conference with the Earl of Aberdeen, at the foreign office, to which I was unexpectedly called by him to-day, at four o'clock of the afternoon, in urgent haste.

"Last night, Mr. Ouseley had been, also, to take his leave, thinking to leave London this morning, &c.

* * * * *

"The Earl of Aberdeen then expressed to me, that, in consequence of certain con-

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siderations which had occurred to Her Majesty's government, it had been determined to enter at once on the negotiations of peace in the Rio de la Plata, alone, without waiting for the French government or that of Brazil; not because these were not disposed to concur in the affair, or differed in sentiment on the subject, but only because, *secret views of ambition being attributed to the French government*, or to that of Brazil, that of H. B. M. had thought that, since *it* had no such views, it would be listened to better if acting by itself; and that, therefore, instructions had been given to Mr. Ouseley to present himself to the Government of Buenos Ayres, and to proceed to treat, without waiting for the French or Brazilian ministers, who would arrive afterwards. He repeated what he had said on another occasion, that the Government of H. B. M. * * * would defend the independence of the Oriental Republic against France and Brazil, as well as against Buenos Ayres."

But who attributed these secret views of ambition to the French government? This we learn from Mr. Ouseley, the British plenipotentiary. Mr. Ouseley touched at Rio de Janeiro on his way to Buenos Ayres, and there had several interviews with Don Tomas Guido, the Buenos Ayrean minister. Of the first interview, (a brief one,) Don Tomas writes:

"If I am not mistaken as to the words cautiously uttered by Mr. Ouseley, I think I have discovered that there does not exist in the English government full confidence in the ulterior views of France, with regard to the Rio de la Plata, and that it does not confide much in the duration of the good understanding which now exists between the two powers."

Of the statements of Mr. Ouseley, at another and more formal interview, Don Tomas writes at considerable length, and from his second letter we extract the following passages:

"Mr. Ouseley stated to me that when he was appointed for Buenos Ayres, the English ministry was determined on armed intervention in the Rio de la Plata; that he had many reasons for believing that the French government had labored decidedly to draw it to this point; and that, in order to learn the truth, he proceeded to Paris, conferred with Mr. Guizot, and talked with the King.

* * * * *

"Mr. Ouseley deduced from these interviews that there was a formal effort of the French government to have that of England appear at its side intervening, in order to divide the odium of a measure, said to be taken in the interest of humanity, and the commerce of the world, but which was, in reality, on the part of the French ministry, nothing but a game calculated to nullify the opposition, within the Chambers, and without, with a noisy parade, and prolong, by this manœuvre, the existence of the Cabinet.

"Mr. Ouseley considered that the intervention, either jointly or separately, would always be a fatal precedent for England herself; because, the actual tendency of French policy being known, as evinced in Polynesia, and in Oyapoc, and the views of France respecting Montevideo being not yet discovered, England ought not, by an unnecessary intervention, to divest herself of the right of repressing the intervention of other powers to the prejudice of the common interests.

* * * * *

"He also considered it inconvenient that England should league herself to France, so as not to be able to operate by herself alone in the affairs of the Rio de la Plata, if her interests should call her to separate herself; and to prove the difficulties of this league, he made use of the comparison of a certain sportsman with two dogs, who, to succeed in the chase, should chain them together by the neck; and that, while they would never overtake the game, the best of them might be dragged to a precipice by his more clumsy companion; so England, in a business so serious, ought not to renounce the right to act alone when it might suit her purpose."

* * * * *

"Mr. Ouseley again fell upon the projects which the French Government would probably display towards Montevideo, should any pretext offer. He also discussed the true position of Louis Philippe and his Ministry, obliged to divert the inquietude of the nation with undertakings of real or fictitious glory. He cited Algiers, Mexico, the [former] blockade of Buenos Ayres, the operations in Taliti and Morocco, the useless pomp of the Embassy to China, the immense expenses sustained in all these undertakings without any advantage, all calculated to distract and repress the permanent spirit of reaction, and to preserve the ministerial majority in the Chambers. Mr. Ouseley alluded to the Protectorate solicited by Montevideo, and to the importance given in France to this measure, and he did not conceal from me, that perhaps it might be proposed to take advantage of this, should a pretext arise to cover appearances, offering the fact of an efficacious and permanent protection in favor of the French residing in that city, as

a demonstration of the prepotency of France, and of the political reach of the actual Cabinet. Mr. Ouseley, honoring the personal character of Louis Philippe and M. Guizot, nevertheless represented them as on the edge of a precipice, where at times it was impossible for them to repress the impulse of public sentiment, and called to mind also that M. Thiers, in the Chamber, had called Montevideo *our colony* in the Rio de la Plata, and any such idea was well adapted to the national pride of France."

"I deduce, then, from my conversation with Mr. Ouseley, that the government of England desires to operate alone in the question of the Rio de la Plata; that it prefers to have an understanding with His Excellency, drawing closer its relations with the Confederation; that there exists a sentiment of professed distrust and jealousy on the part of the English ministry respecting the ulterior views of France in the Rio de la Plata; that there is no dependance on the solidity nor the duration of the good understanding between the two nations; that Montevideo is the true apple of discord, &c."

Finally, in a third interview, of which Don Tomas gives an account:

"Mr. Ouseley stated, in recommending the greatest reserve, that he had new motives for suspecting that France concealed some project on Montevideo, which might place things in a critical position. Mr. Ouseley recommended to me in the most promising terms, that there should be a careful avoidance, on the part of the Argentine government and of Senor Oribe of any pretext of which Rear-Admiral Laine could avail himself in getting possession of the place."

Thus, in the whole course of these remarkable disclosures, we discern the fact, of England wishing to intervene for objects of her own, but shrinking from a step so questionable—doubting whether to act by force or by diplomacy—deciding at length, reluctantly, on armed intervention, when she sees that France is resolved to act—co-operating with France from their jealousy, and as the means of watching and checking the imputed views of the French on Montevideo—alleging the French intervention to show, not as pretended, from motives of humanity or public good of any sort, but from inducements of party manœuvre, to sustain a tottering cabinet—and, while professing cordial concert with France in a common intervention, yet hastening to anticipate her, and settle the matter separately, before the arrival of the French Minister at Buenos Ayres. Such, on the side of England, as displayed in the affairs of South America, is the sure spirit of that *entente cordiale*, under the influence of which M. Guizot is betrayed into the suicidal policy of outraging the United States for the promotion of British power, in the affairs of North America.

And the acts of the British Government, at Buenos Ayres, were in the spirit of the same sleepless jealousy of the views of France. Mr. Ouseley, hurrying on, reached Buenos Ayres in April, 1845, in advance of the Baron Deffaudis, and entered at once on the objects of his mission. Dates become material now, in the exhibition of the true motives and objects of the British government.

On the 10th of May, 1845, Mr. Ouseley had his first conference with Mr. Arana, the Buenos Ayrean minister of Foreign Affairs. What occurred in this interview is known only from the statement of Mr. Arana, who says, that Mr. Ouseley communicated to him the wishes of the British government to begin the negotiation as soon as possible, and arrange a peace without the concurrence of the French minister, reiterating for this reason the explanation he had given to Don Tomas Guido in Rio de Janeiro, condemning strongly the conduct of the French admiral and of the English commander before Montevideo in refusing to acknowledge the blockade, and expressing his disposition to cause it to be acknowledged, and his intimate conviction against all idea of (forcible) intervention in the affairs of the Plata.

On the 12th, Mr. Ouseley communicated to Mr. Arana a paper of some length, headed "Memorandum of a verbal and confidential Note, containing Proposals made to D. Felippe de Arana, by Mr. Ouseley—10th May, 1845."

The next day, Mr. Arana, finding that paper, on perusal, to be totally different in spirit from the actual conversation of the 10th, and to contain propositions utterly inadmissible by Buenos Ayres, as it demanded among other things the immediate evacuation of the Uruguay under threat of hostilities—informed Mr. Ouseley, that a persistance in such views would render any amicable arrangement impossible.

Therefore, after reflecting on the

subject it would seem, Mr. Ouseley called at the foreign office on the 17th, withdrew the "Memorandum," and earnestly solicited that the Memorandum itself, as well as the withdrawal of it, might remain a profound secret.

Hearing of the appointment and expected early arrival of the French plenipotentiary, on the 18th, Mr. Ouseley transmitted a note anti-dated the 12th, so as to be a substitute for the Memorandum.

On the 28th, Mr. Ouseley presented another note, anti-dated the 21st, and proposed that Mr. Arana's answer to this should also be dated back as of the 24th, for the purpose of having the arrangements they contemplated appear as if made by the sole instrumentality of the British Government, and in a pacific form, uninfluenced by intelligence received on the 28th, of the approach of the Baron Deffaudis.

These two notes are as follows:

"The undersigned, Her Britannic Majesty's Minister Plenipotentiary, having had more than once the honour of conversing with Senor Don Felipe Arana, Minister and Secretary of State for Foreign Affairs, respecting the negotiation which is hoped may conduce to a satisfactory arrangement of the differences which have unfortunately subsisted for such a length of time in the States of the Rio de la Plata; and being informed by H. E., that the government of the Argentine Confederation is as desirous as that of Great Britain in bringing about a pacification in these states, upon firm and honourable basis, begs that Senor Arana will deign to honour him with more ample information respecting what immediate measures would be recommended or adopted by the Argentine government, as adapted for obtaining the beneficent object which both governments have in view.

"The undersigned avails himself of this opportunity for renewing to Senor Arana the assurance of his highest consideration.

"W. G. Ouseley.

"Buenos Ayres, 12th May, 1845."

*Buenos Ayres, May* 21, 1845.

"The undersigned, Her Britannic Majesty's Minister Plenipotentiary, referring to the different official and confidential conferences and communications respecting the measures to be adopted for the pacification of the states of the Rio de la Plata, with which he has been honored by Sr. Arana, Minister and Secretary of State for Foreign Affairs, finds with much satisfaction that the Argentine government—

"1. Acknowledges as fully as Her Majesty's government the independence of the Oriental State of the Uruguay.

"2. That the government of Buenos Ayres repudiates unconditionally all interference with the internal and domestic government of the Oriental state.

"3. That, under certain conditions, the Argentine government will cause its troops to withdraw from the Banda Oriental.

"4. That the blockade of Montevideo will, (under conditions hereafter to be fixed,) be raised.

"5. That the personal safety of the political refugees of all parties will, as far as regards the Argentine government, be assured, pending and subsequent to the negotiations which it is hoped will terminate in the pacification on a solid basis of the states of the Rio de la Plata.

"The conditions upon which the three last of these points would be accepted by the Argentine government, appeared by the undersigned to be referred by H. E. Sr. Arana, 'for discussion with General 'Oribe.'

"That respecting the blockade of Montevideo, the Argentine government insists (as a measure which its dignity as an independant nation requires,) upon its unconditional recognition, in the most rigorous form, as the first step in the negotiation.

"The undersigned reserving all examination of the above conditions, requests that Senor Arana will do him the honor of informing him whether the Argentine government is prepared, at once, to act on these general bases, or whether H. E. has any further measures or conditions to propose, which in the opinion of the Argentine government might facilitate and secure the objects of the two governments in the pacification of the states of the Rio de la Plata.

"The undersigned avails himself of this opportunity to renew H. E. the assurances of his highest consideration.

"W. G. Ouseley.

"To H. E. Sir Don Felipe de Arana, &c."

In the amiable spirit implied by the tenor of these two notes, and by the accompanying acts and conversations, Mr. Arana replied, in his note thus anti-dated the 24th, making the desired explanation in regard to the assumed bases of mediation, (not intervention,) and reminding Mr. Ouseley in connection, of what had previously been communicated to him orally, that as, on the 11th of April, (before the arrival of Mr. Ouseley,) the American Chargé d'Affaires, Mr. Brent, had tendered his mediation between Buenos Ayres and Montevideo, and that, as this tender having been accepted by Buenos Ayres,

it would now be proper to proceed to terminate the affair in concert with Mr. Brent.

To this Mr. Ouseley, under date of the 28th, replies, among other things, as follows:

"With reference to the mediation proffered by Mr. Brent, &c. the undersigned is at a loss to understand how the well intentioned offers of that gentleman, although without special authorization from his own Government, can become an obstacle to the satisfactory arrangement of the differences now existing, or in any way interfering with the official offers of similiar good offices, which the undersigned has been instructed by his Government to make to that of Buenos Ayres. On the contrary, the undersigned has the satisfaction to assure Senor Arana, that from the opinions expressed confidentially by Mr. Brent to the undersigned, he finds that gentleman anxious for the same objects as those which Her Majesty's Government have in view, and desirous of furthering them by his personal experience and judgment, and the good offices which his position in this country enable him cofidentially to afford."

Observe, Mr. Ouseley, at this time, does not object that Mr. Brent is only a Chargé d'Affaires and of inferior diplomatic rank to himself, nor does he allege that Mr. Brent is without competent authority from the American Government, nor does he auger that he himself is precluded by his instructions from co-operating with Mr. Brent, but on the contrary, he assents to this gentleman's intermediation as a favor and an advantage, and as leading to the only results desired by the British Government.

Accordingly, on the 28th of May, Mr. Brent and Mr. Ouseley had a conference at the house of the latter, and on the 2d of June another conference at the Foreign Office, in which Mr. Arana participated, his chief clerk and Mr. Brent's secretary being present, and the tenor of the conference appears by a memorandum of Mr. Brent's, (the correctness of which is confirmed by his secretary, and by Mr. Arana and his chief clerk,) as follows:

*Triple conference on 2d June, 1845, between Mr. Ouseley, Mr. Arana, and William Brent, Jr. at Foreign Office.*

"On the 2d June Don Felipe Arana, Minister of Foreign Affairs, Mr. Ouseley, Minister Plenipotentiary of Her Britannic Majesty, and myself, W. B., Jr., Charge d'Affaires of the United States, met at the Foreign Office as agreed on.

"Mr. Arana opened the conference, saying it was held at my request. Mr. Arana mentioned that this conference would be reduced to writing or not, as I and Mr. Ouseley should deem proper; Mr. Ouseley immediately observed, that as the Baron Deffaudis was just arrived, and it was important for him to proceed with caution so as not to produce disagreeable feelings on the part of the Baron, therefore, for this reason, he preferred that the conference should not be reduced to writing, but that it should be confidential; that although the Baron Deffaudis had no right to complain that we had proceeded in this negociation, yet as he was specially instructed on the subject of the pacification of the affairs of the La Plata, he might feel sensation at our proceeding without him. That he could explain to the Baron the points or basis that might be agreed on, so that the Baron would find it difficult to take any other position.

"I stated that my views were—

"1. That the extrict blockade should be recognized in its fullest extent, which it never had been by the British and French more particularly, and thus an opportunity would be given to the Argentine government in the exercise of a sovereign right, to see how soon they would put an end to the resistance at Montevideo.

"2. That the Republic of Uruguay should be acknowledged in full soverignty, that the Constitution with General Oribe, as the Constitutional President, to enter Montevideo.

"3. General pardon to all, no blood shed.

"4. That when General Oribe should say that he no longer wanted the land and naval forces of the Argentine government, that then General Rosas would remove them.

"I then went on to observe, that in the various conferences which I had with Sr. Don F. Arana, Minister of Foreign Affairs of the Argentine Confederation, that I thought that these views were in full accordance with those of the Argentine Government—Mr. Arana said that they were. I replied that such were the views which I had communicated to Mr. Ouseley, in the conference which I had with him at his house in town on the 28th May, and I said that it was pleasing to see that Mr. Ouseley was in conformity on these points; and Mr. Ouseley said he would present these points to the Baron Deffaudis as agreed on, and that thus the Baron would find it difficult to take any other position.

"A true copy—

"Geo. L. Brent."

In this state of the business, and in all the proceedings from the 10th of May to the 2d of June inclusive, we find the British Plenipotentiary acting zealously and faithfully in the execution of *the secret purposes* of his government, to arrange every thing in a mode, and at a time (*real or fictitious,*) so as to forestall and defeat the intended interposition of France. Nay, it was all to be done through the efficient mediation of the United States. Nor did the course of events undergo a change, until, on the rival of the Baron Deffaudis, it became necessary for Mr. Ouseley to desist from separate action, and to submit to the consequences of an *ostensible* concurrence with France, in order to be in a condition to control (while seeming to co-operate with) the movements of the French Government.

To this part of the subject, belongs another characteristic incident. On the 12th of June, it begins to be seen that the Baron Deffaudis has arrived, and is the master-spirit of what now becomes not Anglo-American mediation, but Anglo-Gallic intervention, in the Plata. For the Baron Deffaudis refuses to consent to the participation of Mr. Brent as mediator, and Mr. Ouseley now does the same, alleging that what he had done before in conjunction with Mr. Brent, and even disavowing what had occurred at their conferences, in terms, which led Mr. Arana to conceive that his honor was impeached, and in justification of his veracity, call for and publish certificates of the facts from his chief clerk, from Mr. Brent, and from Mr. Brent's secretary.

We do not mention these circumstances in any captious or ungenerous sense of personal reproach of Mr. Ouseley. Quite the contrary. To be sure, these odd incidents, of withdrawing despatches, giving them false dates, disavowing arrangements made, refusing to-day mediation which had been accepted yesterday, have more the aid of legerdemain, than of dignified and frank negotiation. But all these questionable steps were the natural, not to say necessary, consequences of the *double part* imposed on Mr. Ouseley by his government, laboring to defeat the ally it professed to support, and anxious to secure (without being) the friend of France.

To complete an exposition of the separate motives which have actuated the British government in this affair, but one point remains.

The British Empire, vast as it is, consists, for the most part, of *conquered* countries. The Canadas, Acadia, the British West India Islands, the Cape of Good Hope, Ceylon, India; these rich and populous regions, and so many insular or peninsular points in the European, African, Asiatic, or American seas, are for the most part, possessions torn by force, at different times, from Spain, France, Holland, or the great monarchies of Asia. Of great colonies established under the auspices of England, there is but one, Australia, and that founded as a place of deportation for the criminals of her home-population. The United States were settled not so much by England, as in spite of England,—by Puritans, Quakers, Catholics, who fled hither to escape religious persecution in the British islands. Her possessions are, we repeat, in substance *conquests;* and the peculiar spirit in which these conquests have been made, is not less remarkable than their magnitude and number. They have been *trading speculations*, chiefly. France, Spain, Austria, Prussia, Russia, have been making war, in the spirit of old Rome, to repel invasions, or to enlarge and strengthen the bonds of a continuous continental territory. Britain, on the contrary, from that armed workshop, ship-yard, and mine of hers, enters into war, and makes conquests of so many transmarine countries, *in order to carry on trade.* Even her view in Oregon is not, as it is with us, to people a wide wilderness with civilized men, but to maintain that wilderness unpeopled, for the sake of the fur-trade of the Hudson's Bay Company.

Now, the British government sees, or thinks it sees, some trade to be made, by conquering from Buenos Ayres the navigation of the Paraná, and thus gaining access to the Province of Paraguay. Nay, England, who by her insane negro-perilism, by the differential duties this leads her to impose on slave-grown sugar, and by the violations of neutral rights, to which it impels her, has outraged Brazil, and thus failed to conclude a commercial treaty with that fertile and productive empire; and she, therefore, turns her attention to the possibility of

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introducing her goods by way of the Paraná, (clandestinely, or otherwise) into the heart of Brazil. Accordingly, we find her, at the present time, under cover of a benevolent distaste for the effusion of blood in Uruguay, sending off her ships of war in quite another direction, and shedding much Argentine blood, herself, on the banks of the Paraná, for the promotion of commerce into Paraguay and Brazil.

The Buenos Ayreans had reason to apprehend this purpose on the part of England; as, we think, did the Brazilians also; and hence, perhaps their withdrawal from the plan of intervention in Uruguay. To remove this impression, Mr. Ouseley, in one of his interviews with Don Tomas Guido, said categorically: "It has been alleged that the British government will claim by force the navigation of the interior rivers; but it does not think of this at present; I am not a person to go pistol in hand, to impose conditions on the Argentine government." And yet this very project they thus formally and solemnly disavowed, is what England is engaged in doing, as (next to watching France) the main object, apparently, of her intervention in the affair of the Plata.

This being a trading speculation, and therefore to be regarded as the English part of the operations in the Rio de la Plata, we will dispose of the question it involves, before quitting so much of the general subject, as appertains to the conduct of England, in distinction from that of France.

The waters of the Rio de la Plata, of which the Paraná is the main stream, commence their course, it is to be remembered, in Brazil, and flow by or through Paraguay, and the states of the Argentine Confederation, to the sea. Uruguay, at the mouth of the Rio de la Plata, is separated from the Paraná by the Argentine province of Entre Rios, which lies, as its name imports, between the rivers Uruguay and Paraná.

As a military operation, then, the opening of the Paraná is wholly foreign to the pacification of Uruguay; and in all other points of view, it is a distinct and independent act of hostility against the Argentine Confederation.

The free navigation of a great river, by all the world, may be desirable, in a view of commerce, apart from all other consideration. Yet there is no nation which yields the navigation of its interior waters to other nations as of right; and where the navigation is yielded, it is a *concession*, made for due consideration, and with proper conditions, for the security of the peace, independence, and police of the country penetrated. Thus we refused to England the free navigation of the Mississippi, as flowing wholly within the United States. Obviously, any attempt of her's to open that river by force would be an act of war.

And where a river flows through several distinct states or governments, it may be desirable to the country, on its upper waters, to have a passage to and from the sea, through the country lower down; but this is a question of right between them, and not between either of them and any other foreign government. For example, the right of passage up the Tagus into Spain, through Portugal, is a question for Spain to make, not for England or France. It would be an act of war for England to volunteer in behalf of Spain, as against Portugal, to force open the Tagus to all the world.

So, in undertaking to force open the Paraná, the English and French are making war on the Argentine Confederation. As a question of right, the navigation of this river, through the Argentine Confederation, is one for Paraguay and Brazil to make, not England. If they made the question, still it would be an act of war against Buenos Ayres for England to interfere by force. But they do not make it. She volunteers in the matter, without their consent or desire; perhaps contrary to their interest or their wishes. England usurps their rights, in the assertion of which to make war on Buenos Ayres.

We suppose there may be some persons, who conceive that any degree of violence, bloodshed, and outrage on national rights, is justified by the prospect of making trade for a dozen schooners, more or less, and who, for that reason, approve of these operations in the Paraná; but we trust they are few; and we have regretted to perceive that some American merchant vessels placed themselves in the train of the French and English squadrons, thus authorizing the Buenos Ayrean government to treat them as public enemies, and losing

all right to protection or redress from the United States.

In resuming the whole of which, then, we perceive that, while the *secret* motives of Great Britain, in this intervention, were either interested ones, or jealousy of France, the *ostensible* grounds of action, special to herself, such as the assuming to have guarantied a treaty between Brazil and Buenos Ayres, of which she was the mediatrix only, assuming to enforce this assumed guaranty in behalf of Brazil, without the consent or concurrence of her principal; and assuming to enforce, as her own, the rights of river navigation, belonging only to the *riverain* states of Brazil, Paraguay, and Buenos Ayres—all these grounds of action involve such utter disregard of the sovereignty of the *American* states of Brazil, Paraguay, Uruguay, and the Argentine Confederation, as, if manifested towards *European* states, would wrap in conflagration and blood one half of Christendom.

We come now to consider the part played by France in these transactions, which involves also the merits of the case between Buenos Ayres and Uruguay, and the question of the belligerent acts of the intervening powers.

The Baron Deffaudis began, on the 17th of June, by addressing a brief note to Don Felipe Arana, requesting a suspension of hostilities on the part of Buenos Ayres, and engaging, on the receipt of it, to take the necessary steps (in concert with Mr. Ouseley) for assuring a like suspension of hostilities on the part of *the city of Montevideo*,—thus admitting that the war was confined to the city of Montevideo, and did not embrace the *Oriental Republic*. And on the same day, Mr. Ouseley addressed to Mr. Arana a note of the same tenor in behalf of England.

Mr. Arana replied to both, in some detail of argument, that the Buenos Ayrean government would not take into consideration any proposal from either of the powers, relative to the pacification of the Republics of the Plata, until there should first be given, as a due satisfaction to his government, a full acknowledgment of the absolute blockade of the ports of Montevideo and Maldonado. He also claimed the benefit of the mediation of the Chargé d'Affairs of the United States.

The Baron Deffaudis wrote in answer, that he was not authorised by his instructions to act in concurrence with any foreign minister at Buenos Ayres, except the British plenipotentiary; that neither could he make any preliminary acknowledgment of the blockade of Montevideo; and that he should regard a persistance of the Buenos Ayrean government, on these two points, as a positive repulse of his mission. Mr. Ouseley wrote in the same sense.

Mr. Arana rejoined at great length, in behalf of the Buenos Ayrean government, urging its previous acceptance of the mediation of Mr. Brent as obligatory upon it, under the recognition of blockade as due to the sovereignty and dignity of the Argentine Confederation.

Meanwhile, Mr. Brent very properly relieved the negociation of any embarrassment in regard to him, by addressing a letter to Mr. Arana, which made his mediations a thing to be relied on or not, as might best suit the interests of the Argentine government. But, as the government of Buenos Ayres adhered to the other points, the Baron Deffaudis, on the 8th of July, addressed the following letter to Mr. Arana.

"*Buenos Ayres, July the 8th*, 1845.

"The undersigned, Envoy Extraordinary and Minister Plenipotentiary of France, has not yet received the answer of the Minister for Foreign Affairs, to the note which he addressed to His Excellency on the 24th of last month, renewing the proposal for a suspension of hostilities.

"This proposal has the double object of stopping the useless effusion of blood, and by this means affording the undersigned an opportunity for consulting the wishes of the Argentine government as to the line to be adopted in the negotiations. But His Excellency not having agreed to this proposal, the undersigned is under the absolute necessity of at once acting in strict conformity with his instructions, the execution of which he has perhaps too long delayed against the interest of his personal responsibility.

"The undersigned has now, therefore, the honour of soliciting at present from H. E. the Minister for Foreign Affairs:—

"1. The evacuation of the territory of Uruguay by the Argentine troops.

"2. The recall from before Montevideo of the Argentine naval forces which at this moment blockade that port.

"It is in the name of his government that the undersigned makes these two propositions, in whose name he likewise explains the grounds upon which, according to his instructions, they are made.

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'The first of these two motives is founded upon the spirit and letter of two solemn treaties signed by the Argentine government itself.

"One of these treaties concluded in 1828 and under the mediation of England, between Brazil and the Argentine Confederation, is thus expressed in the 10th article:—

"'It being the duty of the contracting governments to assist and protect the Province of Montevideo, until it shall be completely constituted, the said governments agree that, if before the Constitution of the Province shall be sworn to, and for five years afterwards, its internal tranquillity and security shall be disturbed by a civil war, they will lend to its legal government the necessary aid in order to maintain and support it. After the lapse of the time above mentioned, all protection which is promised by this article to the legal government of the Province of Montevideo shall cease, and the same shall be considered in a perfect and absolute state of independence."

"In another Treaty concluded in 1840 between France and the Argentine government, Article 4th, is to this purport; 'That the government of Buenos Ayres will continue to consider the Oriental Republic of Uruguay in a state of perfect and absolute independence in the manner in which it has been stipulated in the preliminary Convention of peace, concluded the 27th of August, 1828, with the Brazilian Empire; without prejudice to its natural rights, whenever the justice, honor and security of the Argentine Confederation should exact it.'

"It is then evident that the military support which the Argentine government lends to General Oribe in the present war of Uruguay, proclaiming this General as the *legal President* of the Oriental Republic, and in concert with him endeavoring to overthrow the established government in that country, is a flagrant violation of the above cited treaties. Because the lapse of time during which the Argentine Government might have considered itself authorized for proceeding thus, has long since passed, and the support which it at this moment gives to General Oribe, cannot be considered otherwise than as an act of interference in the internal affairs of Uruguay, and consequently as an attack against the independence of that state. Of the right of France as principal in one treaty, and that of England as mediator in the other, to demand a cessation of such acts, is equally clear.

"The Argentine government moreover, cannot, in order to reject this proposal, invoke the last part of the treaty of 1840, by which it reserves the exercise of its natural rights, *whenever the justice, honor and security of the Argentine confederation should demand it.* For without here examining the question of the real origin of the war, and admitting that, as the Argentine government has frequently asserted, its adversaries provoked it, in other words, that the ex-President Rivera in the first instance declared war against it, (above all now that he has been conquered and has abandoned Uruguay) it, is certain that the Argentine government has more than satisfied *its justice, honor and dignity*, by the terrible reprisals it has exercised, and by the state of ruin and profound misery to which the prolonged permanence of its troops, has reduced the Oriental Republic. It is also evident to all the world, that none of these various considerations of justice, honor and security can serve to explain the motives for continuing the present war. The sole object and aim of this war is clearly and indisputably the overthrow of the government now established in the Uruguay, and whose legality has not been disputed by any European or American government, with the single exception of that of Buenos Ayres, for the purpose of reinstating General Oribe as legal President. This is precisely what the Argentine government has bound itself not to do, by the first part of the 4th Article in question of the treaty of 1840, as also by the 10th Article of the treaty of 1828, in acknowledging the perfect and *absolute independence of the Oriental Republic.* Finally, and in consequence of these same stipulations, of which one has been guaranteed by England and the other signed by France, the undersigned considers it his duty here to declare, that no election or reinstallation of General Oribe, in presence of an Argentine force, can be admitted as legal, or recognised as valid by the government of France. The same principal actuates the governments of France and England in not permitting their respective subjects to give any assistance to the ex-President of the Oriental Republic, Rivera, for again reassuming the command.

"Neither can the Argentine government found a refusal of the demand of the undersigned on the participation more or less direct, or more or less proved, of certain French subjects which may have taken place, or still continue, in the war of Uruguay. Because the undersigned has already declared verbally to H. E., and gives the same declaration this day in writing, that he will adopt the necessary measures in order that all participation on the part of his countrymen in the internal disputes of the Uruguay, should cease, on the same day that the Argentine government will on its part think fit to withdraw its troops from the territory of that state, and recall its naval forces.

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"The second ground upon which the undersigned is ordered to support his demands, is founded on the principles of humanity, which have been but too often violated in the present war, as expressed in his instructions, *by the cruelties which have attended it.* These cruelties, which have shocked all civilized Europe, would have sufficed to determine France to unite its views and endeavors to those of England for the re-establishment of peace.

"Finally, a third motive for the proposals of the undersigned is founded on the interest of French commerce. This commerce could not indeed flourish in the river Plate, but by restoring peace to the inhabitants of the banks of this river, and thus securing industry, order and prosperity. On the other hand, experience has but too clearly proved that commerce must daily decrease in the midst of the violence, devastation and misery which war brings with it. In this respect, as in many others, the interests and the prosperity of Europe, (and France on its part congratulates itself for it) are closely and intimately connected with the interests and prosperity of America.

"The undersigned has written this note conjointly with H. E. the Minister of H. B. M., and hopes that the requisitions that it contains will meet with a favorable reception on the part of the Argentine government. He also considers himself bound to solicit from H. E. a prompt reply, as his efforts to stop the effusion of blood have been up to the present, unfortunately without effect.

"The undersigned, Envoy Extraordinary and Minister Plenipotentiary of France, avails himself of this opportunity for renewing to H. E., the Minister for Foreign Affairs, the assurance of his highest consideration.

"BARON DEFFAUDIS.

"To H. E. Senor Arana, Minister for Foreign Affairs, &c. &c."

Mr. Arana's immediate reply to this letter, and also his final elaborate review of the whole question, we pass over now, in order to reach the conclusion of the negotiation; which consisted in the demand of passports, on the 21st of July, by the Baron Deffaudis and Mr. Ouseley, and the delivery thereof, as requested, on the 30th of July, whereupon commenced the series of acts of hostility against Buenos Ayres, on the part of England and France.

Before proceeding to remark on these incidents, we recur to the letter of the Baron Deffaudis, of the 8th of July. We insert entire this letter, in order to give to the (so called) "Mediating Powers," and especially to the French, the full benefit of their own statement of the original merits of their intervention in the Plata.

We regard the participation of France in these events in a very different light from that of England: France had, at least, *claims* by treaty, to deal with Buenos Ayres, touching the political condition of Uruguay. Great Britain had none. The Baron Deffaudis, in one of his letters, alleges his want of authority to co-operate with Mr. Brent, the minister of the United States. In another, he states the point more explicitly: saying, that the mission, with which he (Baron Deffaudis) was charged, had for its object, to demand the faithful execution of treaties, in the conclusion of which both France and England had taken a part more or less direct with the Argentine government, but he could not accept voluntarily, nor could justly be imposed on him, the concurrence of the agent of a government, completely foreign to the treaties in question.* In this particular, as in others, the cause of France is prejudiced by her association with England. It was the *consent* of Buenos Ayres which gave to England her quality of mediation in 1828; and it was in like manner the consent of Buenos Ayres, which gave to the United States the same quality in 1845; and the right of the United States was a perfect one, because it attached to the *lis pendens;* whereas the right of England expired with its occasion: that is, the conclusion of the treaty between Brazil and Buenos Ayres. Thus the Baron Deffaudis repels the mediation of the United States, on grounds neither tenable nor just. And the error committed by France in seeking or accepting the conjunction of England, has, in the first place, put

* In a late publication in one of the journals of this country, it is said, "The attempted interference of our good Charge, in regulating the terms of the mediation, was met by Ouseley and Deffaudis by the dignified and diplomatic rebuke—'We cannot treat with an inferior in diplomatic rank;—with a minister plenipotentiary of the United States, we should treat with pleasure, but with a charge d'affaires, or diplomatic agent, it is impossible.'" Such a rebuke, if made by Mr. Ouseley or the Baron Deffaudis, would have been neither 'dignified' nor 'diplomatic,' but undiplomatic and insolent. An envoy extraordinary and a charge d'affaires are alike *diplomatic agents.* The *powers* of neither depend on the *same* or diplomatic *rank.*

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her in the wrong as respects the United States. In the second place, France, in taking on her back the burden of an associate, who enters into, and proceeds in the affair under the sinister influence of jealousy of her, and who had no just claim or pretence of right to interfere, except in the sole quality of a peaceful mediator by consent;—France, in so doing, and in mixing up a good cause with a bad one, has thrown doubts over the force of her once treaty-rights—has allowed a distinct and specific claim of her's on Buenos Ayres, for alleged infraction of a treaty between Buenos Ayres and France, to be converted into a gratuitous act of violent foreign intervention; and has substituted a war of English commercial aggression on the Argentine Confederation in the lieu of a pacific enforcement of the right which Buenos Ayres had by express treaty given her, to forbid Buenos Ayrean usurpation in Uruguay.

This unfortunate consequence of the "*Entente Cordiale*," not only subjects France to the censure of the United States, and other neutral powers, but it tends to defeat her own objects, and to induce a long train of evils of inappreciable magnitude. When Mr. Ouseley made his appearance in Buenos Ayres, as the bearer from England, of a tender of peaceful *mediation*, disowning, as he did, all ideas of intervention, he was frankly received by the Buenos Ayrean government, and was approximating to a satisfactory adjustment of the whole matter, in full association with Mr. Brent. If the Baron Deffaudis had then come on the separate treaty-rights of France, to claim their fulfilment as such, and unincumbered by previously concerted English intervention, he would have been all-powerful for good, because entitled by treaty to demand of Buenos Ayres, imperatively, full explanation of her conduct in Uruguay; and yet (with all his military force to back him) powerless for evil, because the combined, or at least the co-operative, mediation of England, the United States, and Brazil would have stood in the way of all rash and violent counsels as between France and Buenos Ayres:—the immediate result of which, we cannot doubt, would have been the peaceful and happy termination of the whole controversy of the Rio de la Plata. The association of England with France, on the other hand, changed their relations to the Argentine Confederation, from that of welcome friends to hated enemies.

Whilst we deplore, then, the error which we conceive France to have committed in this respect, we freely concede to France all she may claim of *disinterestedness* and *good intention* in the *original purpose* of her proceedings in the Rio de la Plata. We do this the more cheerfully, because the injurious interference of France in the affair of Texas, and the preposterous idea of Mr. Guizot, of using the power of France, in effect, to depress the United States and elevate Great Britain upon this continent, have awakened a sentiment of intense and deep indignation in this country, which requires to be allayed rather than aggravated, lest it should pass the bounds of mere temporary resentment and revulsion, and lead to a feeling and a *policy* of settled jealousy and alienation towards an old and a natural ally like France.

In regard to Texas, indeed, it is well for both France and the United States, that the interference of the former became, in its incidents and its results, a subject of limitation to her and of amusement to us, by reason of its total failure, and the unwise circumstances of its prosecution. If the termination had been different, France can conceive what would have been the feelings of the United States, by reflecting what her's would be, if she should hear of a minister of the United States, in Morocco, stirring up Abd-er-Rahma, or aiding Abd-el-Kader, with a view to drive her out of Algiers; to diminish her weight, and augment that of England, in the equilibrium of the Old World. Happily, things took another turn in Texas. And we trust to hear from Mr. Guizot no more about European balance-holders of the equilibrium of the New World. If such a scheme were practicable, it would be a thing to be thought of, perhaps, but not spoken of; for to speak of it, in the sense of censure of the United States, or even of admonition, is to render it impossible. But the scheme is a mere chimera; and, if seriously undertaken, would end only in reactionary movements in Europe.

To France, then, conceding a treaty-cause of *some action* in the Plata, we have no occasion to deny the benefits of that inducement, in the estimate of the moral quality of what she has actually

done. She may have misconceived the force of the treaty. The *casus fœderis* may not have arisen. She may have over-stepped the bounds of justice in the mode of asserting her rights under the treaty. But these are questions of construction merely, and not of original right. She goes to Buenos Ayres to discuss what the import of the treaty is, and to make war, (if need be) to enforce the fulfilment of what she deems to be its construction. All these are the regular consequences to Buenos Ayres, of her stipulation with France, and thus place the *motives* of the latter on grounds of right, which eminently distinguish her conduct from that of England.

And France, we are not compelled by irresistible inducements to distrust and to watch at every step, as we are England. It is not France, who is engaged in a career of universal domination and cupidity all over the world. It is not she who has quadrupled the extent of her territory, and the number of her subjects, by foreign conquests, in the brief time of men now in life. It is not she, who, in the spirit of all-grasping ambition, is endeavoring to wrest from us our country of Oregon. It is not she, who undertakes to enter our ships and impress our seamen on the high seas. It is not she, who has undertaken to subject the ships of Portugal, the United States, and Brazil, to her maritime police and search, by mere municipal laws of her own, without and against treaty or the laws of nations. It is not she, who intermeddles with our domestic institutions. It is not she, who calls it "pedantic," and "pettifogging," to interpret treaties according to their tenor;—who considers the observance of treaties as diplomatic prudery,—who maintains that treaties need not be fulfilled, if the "advantage" of a little "trade," may be hoped from their infraction; who encircled the globe with fire and sword, solely in the guise of "merchants," and for "gain," and who says of herself, it is "our destiny to carry on wars, and to make conquests, till our national forces are spent—till the impulse from our central home ceases to act—till all the vast and scattered elements of our power strike against some impassable barrier, and are rolled back like waves towards the spot from whence they came."* It is not France, but England, who thus conducts and professes, and assumes a destiny of universal conquest, that forces on the rest of the world a universal jealousy of all her acts; which jealousy there is no good cause to extend to France.

Recurring, thus, to the letter of the Baron Deffaudis, as exhibiting *the case* on the part of France, we proceed to abridge, from the letters of Mr. Arana, the case of the Buenos Ayrean government.

France, in the first place, demands of Buenos Ayres, the observance of a treaty, by which Buenos Ayres engaged to France to continue to consider the Oriental Republic in a state of perfect and absolute independence. To this Buenos Ayres replies, that she fully admits the independence of the Oriental Republic, and that, in virtue of the right she had reserved in the treaty with France, to anything, (compatible with the independence of Uruguay) which justice, and the laws and security of the Argentine Confederation may require, she is only exercising her right as a sovereign state, to aid the President of the Oriental Republic in suppressing a rebellion, fomented always, and now supported chiefly by the money and arms of foreigners in Montevideo. And if so, it would seem that the treaty had not been violated. For it does not stipulate (as the Baron Deffaudis assumes) that Buenos Ayres will not, even though authorised by the assent of the Oriental government, perform any act of "interference in the internal affairs of Uruguay." And, thus interfering with the assent and for the aid of the British government, it would be as Buenos Ayres alleges, for the Oriental government to judge when that aid should cease; and the continuance of it, with such assent, to the end of the total subjugation of the rebels, would certainly be no violation of the independence of Uruguay. So as to the point, (made by the Baron Deffaudis) whether the war had continued long enough for the honor and security of the Argentine Confederation. If Oribe was the true chief of the Oriental Republic, all the acts of Buenos Ayres, down to the reduction of Montevideo, nay, including that purpose above all things, were, it is clear, acts in support of the sover-

* Foreign Quarterly Review for January, 1846, Art. xii.

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eignty and independence of Uruguay. As to the construction of the treaty, therefore, and every point arising under it, the true and only question seems to be,—Who constituted (or represented) the Oriental Government?

Now, it is admitted that Don Fructuoso Rivera, one claimant of the Presidency, had, after several defeats in the field, given up the game, and taken refuge as an exile in Brazil. There remained a mere handful of Orientals, and of Argentine exiles in Montevideo, whom the Baron Deffaudis calls the "government now established in the Uruguay," but who certainly had no joint title of appointment to represent the whole Republic. And, at the moment of the intervention of the "Mediating Powers," the whole of the Republic, beyond the walls of Montevideo, was under the authority of Don Manuel Oribe, the last regularly elected President of the Republic, acting in concert with the constitutionally organized legislative assembly of the Republic. The faction in Montevideo say that Oribe did, on some occasion, resign the presidency, to which they admit he was duly elected; the legislative assembly say, on the other hand, that he and they were forcibly dispossessed by Rivera, *aided by the agents and naval commanders of France;* and that, Rivera being overpowered in his turn, they do but resume their proper functions as the constitutional authorities of the Republic.

Such are, in brief, the facts. And if the right of Buenos Ayres to take up arms in aid of Oribe and the Legislative Assembly be questionable in any way, assuredly the right of France, heretofore or now, to take arms *against* Oribe, is still more questionable. In view of which we cannot but believe that to be true, which is constantly affirmed in Buenos Ayres, that, as the armed foreigners in Montevideo (principally Frenchmen) are the chief obstacles to the complete recognition of Oribe's authority, so the influence of those foreigners has induced the intervention of France.

The Baron Deffaudis, in the second place, founds the intervention of his government on the principles of humanity; the cruelties, which have attended the war, having, as he says, shocked all Europe. In reply to this, the Buenos Ayreans positively repel the imputation of the war being characterised by any such quality of shocking cruelty. They apply to this charge, also, with some effect the *argumentum ad hominem*, pointing to the civil bloodshed of the French revolution,—the *razzias* in Algeria,—the many judicial murders in English history,—the countless harms perpetrated by Great Britain in the East,—the first sanguinary war in Affghanistan of wanton invasion, and the second of more premeditated massacre,—as closing the mouths of both France and England on this point.—In regard to which, thus much, it is certain, may be truly said, that neither France or England would tolerate the interposition of any third power in a war of their's, either in Algeria or India, on the plea of *humanity*. To the political objection they would respond, —We are in the exercise of our sovereignty;—and to the moral objection they would respond, and well, as Maréchal Soult did in regard to a late memorable incident in Algeria, that, with war, its necessary consequences must be accepted, of occasional acts of real or apparent cruelty. In addition to which Mr. Arana forcibly urges, that the voice of humanity is most inopportunely involved to justify a step, which is really adverse to the principles of humanity, because it renews a terminated war, and prepares additional calamities, for all the countries of the Plata.—In the sense of humanity, France should have intervened sooner, or not at all. But interference, on any such grounds, is, of course, we repeat, a mere forcible invasion of the sovereignty of Buenos Ayres, such as France would be the last power in the world to tolerate in her own case.

Finally, the Baron Deffaudis presents his government as intervening, because of the interruption the war involves to commerce. While this ground of interference, like the preceding one, implies complete disregard of the sovereignty, and consequent belligerent rights of Buenos Ayres, it is, like that, the less worthy of consideration, because the intervention itself protracts and adds to the commercial difficulties already existing in the Plata. The blockade of Buenos Ayres, and a general war in the Argentine Confederation, are a much greater commercial evil than the mere blockade of Montevideo.

Glad, then, as we should be, to find satisfactory and conclusive grounds for the course France has pursued, and conceding, as we do, that the treaty of 1840 gave to her legitimate authority for action in some form, we feel constrained to think that her intervention is, in principle, one of those doubtful cases of foreign interference, which Europe has often suffered under, and which have had little to justify them but the caprice of superior strength; and that in effect, it is more likely to prove the good intentions of France, than her capacity to extinguish faction and establish peace in the countries of the Plata.

The Queen of England referred, at the late opening of parliament, to the affairs of the Plata, in terms, which received emphatic condemnation from Lord John Russell, and of which we may speak still more plainly. The British ministry made her to say:

"For several years a desolating and sanguinary warfare has afflicted the States of the Rio de la Plata. The commerce of all nations has been interrupted, and acts of barbarity have been committed, unknown to the practice of a civilized people. In conjunction with the King of the French, I am endeavoring to effect a pacification of those states."

Nothing is even *pretended* here, be it observed, of any *treaty right* to oversee the relations of Buenos Ayres and Uruguay.

England, it is declared, intervenes, first, because by the war in the Plata, "the commerce of all nations has been interrupted." So it is by every war, to which any maritime state is a party, and in no case has there been more excessive interruption of neutral (and other) commerce than when England is at war, as the United States have ample cause to remember. Does the British ministry mean to be understood, that England (with France) is to be supervisor and forced arbiter of all other nations, and she is to have a monopoly of the exercise of the sovereign right of peace and war? This would, indeed, be a new stride in her march to universal empire; and this, too, at the very moment when Sir Robert Peel proposes to add to the naval and military estimates, on account of the "*continued increase of our* (that is, British,) *colonial possessions*," such increase, consisting of military conquests, the result, in no small part, of wars of invasion in the form of interventions undertaken (professedly) to put a stop to wars. Is the world prepared, is America ready, to become subject thus to the domination of Great Britain alone, or even associated with France?

England intervenes, in the second place, on the allegation that, in the wars of the Plata, "acts of barbarity have been committed, unknown to the practice of a civilized people." Is this true? What says Lord John Russell?

"Her Majesty stated, that for several years a desolating and sanguinary warfare had afflicted the states of the Rio de la Plata, and it was further stated, that Her Majesty was endeavoring to effect the pacification of those states. He, (Lord John Russell) understood that the endeavor to effect a pacification had been prosecuted by means of warlike measures, and he somewhat doubted whether that was the right mode of proceeding. It was true it was stated that the commerce of all nations had been interrupted. But it was further stated, that 'acts of great barbarity had been committed unknown to the practice of a civilized people.' Acts of barbarity were certainly very dreadful things, but he doubted whether it was wise in Her Majesty's government to state that as a ground of a forcible intervention. They had heard—though he would not name the countries in which they had taken place—but they had heard of dreadful acts of barbarity in other parts of the world; and certainly he had not heard it proposed by any wise statesman that there should be any intervention in those countries."

What are these "other parts of the world," in which "dreadful acts of barbarity" have been perpetrated in war? Does Lord John Russell refer to the "countries" of the Caucasus? Or does he allude, perchance, to any acts of England's intervening associate, committed in Algeria or elsewhere, as constituting a ground of intervention quite as solid as any thing which has occurred in the Rio de la Plata? Or may it not be, that, in the same spirit of manly courage, and instinctive horror of wrong, which animated Burke, and Fox, and Sheridan in the last century, and to which even Pitt could not refuse his sympathy, at least—may it not be that Lord John Russell, in the elevation of moral dignity becoming the occasion, ventures to intimate, that

while England, impelled (as her writers assure us) solely by the accursed hunger of gold, compasses sea and land to slaughter annually unoffending *thousands*, under all conceivable circumstances of "barbarity"—may he not feel, that while herself is doing this, England has no title to put Buenos Ayres to the war, because of the few hundreds who fall in the domestic or neighboring conflicts of the Rio de la Plata? Whether considering the *number* of men (and women) cruelly killed, or considering only the *quality* of the acts of cruelty committed, it is not true that, in the countries of the Plata, "acts of barbarity have been committed *unknown to the practice of a civilized people.*" We aver, taking the enemies of the Argentine Confederation for witnesses of what has occurred there, and English eye-witnesses for evidence of what has been done in India, that, in the single war of the East India Company against Affghanistan (to speak of no others)—a war of wholesale devastation and slaughter wantonly carried into a remote and friendly country—more acts of barbarity were perpetrated by England, of any assumed degree of enormity in kind, twenty-fold, than the whole mass of barbarities committed by the Argentines in Uruguay. Lord John Russell might well reflect, that, if such things be assumed as "a ground of a forcible intervention," then it were time the whole of Christendom should combine together to arrest the "desolating and sanguinary warfare," and the imperial "barbarities" of England in Asia.

To leave nothing unsaid of the original merits of the intervention by France and England, we must not omit to consider a point, which is somewhat *dehors* the record, but which dwells greatly in the public mind; and that is, the character of the Argentine government, and especially of the actual governor of the province of Buenos Ayres, charged with the foreign relations of the Confederation, Don Juan Manuel de Rosas.

Whether Rosas be a tyrant or not, and whether he be of a sanguinary character, is a question which concerns the people of Buenos Ayres, but does not concern France, England, or the United States, provided he administers the government honorably towards them, and respects the persons and the rights of their citizens or subjects. And yet every species of calumny against Rosas, fabricated in the rough by his party enemies at Montevideo, and finished off for the European or American market at Rio de Janeiro, is continually circulated in the United States, and gravely alleged in justification of the intervention of the two powers.

So far as regards foreign governments and their subjects, these calumnies have received a refutation as remarkable in form and time as it is conclusive in substance.

On the 15th of September, 1845, M. de Mareuil, the resident Charge d'Affairs at Buenos Ayres, previous to the arrival of the Baron Deffaudis, being questioned on the subject by Mr. Arana, replied, with a positive denial of sundry specific charges against the Buenos Ayrean government, and the following general statement of its conduct towards the *French*.

"Ever since I have been here at the head of the legation of the King, up to the present day, I have not had occasion to complain against the Argentine government of any direct act contrary to the friendly relations existing between France and the Argentine Confederation, nor implicating the forgetfulness of the protection due to the foreigners established upon the territory of the Argentine Confederation. If I have ever had occasion to reclaim in favor of a Frenchman, against any act emanating from a subaltern authority, justice has been promptly done to my demand."

In taking leave of the Buenos Ayrean government, the British Chargé, Mr. Mandeville, said to Governor Rosas:

"I do not attempt to conceal the feelings of grief which I experience on departing from a country in which, from the highest to the most humble, from your Excellency down to the poorest peasant of the country, I have always met with the most friendly and hospitable reception."

And the British commander, Hotham, on the departure of the plenipotentiaries from Buenos Ayres, posted the following "memorandum" in the English Commercial Rooms:

"Although the protection conceded by the Argentine government to the British subjects residing in Buenos Ayres has always been the most complete and satisfactory, and although we may place the greatest confidence

in its intentions and desire of respecting and protecting their persons and properties, nevertheless it becomes a duty on the part of the senior officer in command of Her Majesty's ships in these roads to provide means of embarkation for such of his countrymen who may hereafter think proper to remove from this city."

Here we have the most conclusive testimony as to the *good order* of the Buenos Ayrean government, from the public functionaries of France and England. To which we add, that the French and English residents of Buenos Ayres met, after the departure of the plenipotentiaries, and adopted resolutions, expressing their undiminished confidence in the protection of the Buenos Ayrean government, and their determination to continue their business as usual, and to the number of fifteen hundred, praying the plenipotentiaries not to interfere between the two Republics.

Indeed, it is notorious that British and French subjects in Buenos Ayres live in the same security as if at home, and enjoy a multiplicity of rights, commercial and personal, which no foreigner enjoys either in France or England.

While these facts aggravate the enormity and the injustice of the conduct of the two powers, they awaken disbelief as to the imputed bad character of Rosas. Indeed, reflecting on the nature of his power. and the tranquil stability of administration he has introduced in Buenos Ayres, we had long since concluded that there must be gross exaggeration, if not utter falsity, in the "Tablas de Sangre" of Indarte, as well as in the newspaper philippics on Rosas propagated from Montevideo. The perusal of these publications reminds us of what Mr. Carlyle quaintly calls "the running shorib of denunciation" accompanying some of the accounts of Francia, the mere ravings of party spite and rage. We suppose Don Juan Manuel may be a man of decision and firmness, accustomed to deal sternly, nay bloodily, with all disturbers of the public peace; and is not such a man needed at the head of every one of those Spanish American Republics?—Indarte, who is said to be himself a man without faith or ability, puts down to the debit of Rosas, as if personal murders of his, all the men who have died in battle or otherwise in all the foolish civil wars of those Republics. This is merely ridiculous. But Indarte is wicked as well as ridiculous; for he heaps on the head of Rosas all sorts of anathema for the imputed assassination of men still alive and doing well about their business in Buenos Ayres.

But these are personal matters wholly foreign to our subject; and we proceed now to consider the justification of hostilities put forth by the plenipotentiaries in the document which we have termed once before a "Declaration of War against Buenos Ayres." The plenipotentiaries had taken possession of the Buenos Ayrean naval squadron before Montevideo, after the government had (as they knew) ordered its recall, and under circumstances, in other respects, which the Buenos Ayreans represent in a light no ways creditable to the "mediating powers." They had committed other acts of hostility, which led the government of Buenos Ayres to adopt various measures of a defensive character, and which induced some very severe comments in the Buenos Ayrean Legislative Assembly on the conduct of the plenipotentiaries. And after a month had thus elapsed, the plenipotentiaries issued the document in question, which (extraordinary as it may seem) in effect proclaims war against Buenos Ayres for four classes of reasons, namely:

1. Alleged defects in the *political organization of the Argentine Republic.*

2. Alleged specific acts of oppression towards British and French subjects, and the like;—which allegations M. de Mareuil, in the letter before referred to, pronounces, *one by one in detail*, to be destitute of foundation in fact.

3. Incidental acts of public defence, mostly of a trivial character, induced by the hostile acts of the plenipotentiaries themselves. And,

4. The legislative speeches and other publications of Buenos Ayreans, occasioned by the same acts of the plenipotentiaries. Some of these speeches, and especially one by Señor Garregós, are indeed most powerful, severe, and searching arguments in favor of the cause of Buenos Ayres, and of course in condemnation of the "mediatory powers." But it is a new thing in the history of nations, first *to make war* on an independent state without good cause, and afterwards to found *a declaration of*

war on the defensive acts and speeches of the state attacked.—And yet this is the course pursued by the Baron Deffaudis and Mr. Ouseley.

There is, now, war between the Argentine Confederation, on the one side, and France and England on the other, offensive on their part, defensive on hers. Its conclusion, no man can predict with certainty, and we do not presume even to guess. The battle of Paysandú, and the repulse of the allies in their attempt to ascend the Uruguay, and their hard won but fruitless victory at Vuelta de Obligado, on the Paraná,—the resolute determination to resist them, expressed by the public authorities of Buenos Ayres, Entre Rios, Tucuman, and other Provinces of the Confederation,—the bravery displayed by the Argentine troops, in the several encounters which have taken place,—and the energetic measures of defence adopted in Buenos Ayres, all serve to show that, in a mere military point of view, the "Mediating Powers" have no easy task before them, in this, their unjust war on the Argentine Confederation. With the vast power they possess, the allies can probably accomplish their object in the end, if they persevere; but at what enormous cost of bloodshed, desolation, disturbance of peaceful industry!—a mass of evil infinitely greater than that which they professedly came to extinguish.

General Miller and the Messrs. Robertson give a vivid picture of the difficulties to be encountered by invading armies in Plata; of which, indeed, the defeat of General Whitelock at Buenos Ayres, has heretofore afforded the English some experience.

"If a European power were quixotic enough to send over a very large force to any part of South America, the *montoneros, gauchos,* and *guasos,* would give a good account of them, and the climate would do the rest." * The immense extent of territory, which its vast continent embraces, would require innumerable garrisons to hold in subjection the principal towns alone; and, as there are very few fortified places, detached garrisons could easily be overpowered, or starved out, whenever the natives chose to rise *en masse,* as happened to La Serna, at Jujuy. From the great abundance of cattle in South America, and the simple mode of living, the maintaining of *guerrillas,* or montoneros, is attended with less difficulty, perhaps, than in any other part of the globe; and such is the nature of the country, the thinly populated plains, and the coast of deserts, and the almost impassable mountains, that to keep those bodies down, while political feeling existed, would be impossible. Thus, a hostile army would only hold in subjection those parts which it actually occupied. The recruits of the country could be obtained by the invaders, and on the fidelity of those few no firm reliance could be placed. The ranks of the invaders would dwindle into utter insignificance, and ultimately be overwhelmed. * * * It may be extremely flattering to Europeans to contrast their well-clothed troops with the loosely dressed Americans; *but let those fine looking fellows* * * * *disembark from the Rio de la Plata,* or on the shores of Chili, and the bravest European soldiers would find, that the warring *gaucho* and expert *guaso* are enemies rather to be feared than ridiculed. * * * The destiny of those countries does not, cannot depend upon the will of any European power, nor even on that of all Europe combined."—*Miller's Memoirs,* vol. ii., p. 267.

"A first conquest of the principal town would be comparatively easy; but the keeping of such conquest, at the cost of constant supplies from Europe, would be an expensive, if not impossible undertaking. The immense extent of uncultivated territory intervening between each town, the facility of subsistence afforded to the natives in the interrior, by means of the cattle which they can drive before them; and the desultory marauding system of warfare, which, without ever coming to general engagements, they can keep up for years, would sooner or later tire out the patience, or exhaust the resources, of any regular and expensive equipment of force sent against them. The country might be desolated, the inhabitants chased into the woods, and plains, and villages of the interior; but it would be a difficult and tedious thing to make a permanent conquest of the country."—*Robertson's Paraguay,* vol. i. p. 66.

Such are the difficulties with which the allies have to struggle—a bad cause, a hostile and brave population, an impracticable country, and eight thousand miles of ocean between them and their resources in Europe.

How much better would it have been for the cause of humanity, of right, and of the honor of their respective governments, if Mr. Ouseley had persevered in the course in which he began as the mediating friend of all parties, in concert with Mr. Brent; and if the Baron Deffaudis, while standing on the exclusive right of France, under the treaty of 1840, for the means of coercion in the last resort, had also made thorough trial of the efficacy of a like mediation, as the friend of Buenos Ayres, and as the political master of the armed Frenchmen in Montevideo. As arranged by Mr. Brent, the simple and direct course, compatible with the public rights of all parties, was to make no new war, and to employ the French and English

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force for the simple purpose of disarming, (and, if need be, protecting from harm) the French and English subjects in Montevideo; after which, if the Argentine troops continued to occupy the Banda Oriental, then would have been the time for France to enforce the agreement which Buenos Ayres had made to her, to respect the independence of Uruguay. As to the solitary incidental good purpose which the allies have thought to attain by cautiously making war on Buenos Ayres—the opening of Paraná—if this were worth a war, and if it were admissible that all rights, human and divine, are to be trampled under foot, and the utmost extremity of misery inflicted on the innocent inhabitants of a country, for the sake of a little commerce with it; still we should disapprove the conduct of France and England, because we think they have not taken the right course, even for the attainment of this object. We fear, on the contrary, that they have defeated their own purpose in this respect by seeking its accomplishment in the path of war.

We have thus pursued the discussion of this Anglo-Gallic intervention in the Plata, in the sense we undertook to do it—that is, upon general principles, and as we might have done were we Europeans—appealing to the intelligence and the justice of Europe. Meanwhile, we cannot shut our eyes to the fact that it is in reality an exceptionable question, appertaining to that momentous inquiry, how far (if at all) the two Americans will permit themselves to be the puppet of the ambitions and the jealousies of the great European powers. The conjunction is a remarkable one. At the very instant of time when the Argentine Confederation is protesting, nay, fighting against the principle of European intervention in the affairs of South America, our Union is in like manner called on to raise its voice—*not yet* to take up arms, against European intervention in the affairs of North America. We hail the omen. It is one of those cases in which the advancing columns of the human mind, having reached a certain line of progress, the same idea, fact, discovery, principle, breaks out simultaneously, by the mere form of circumstances, in different and distinct regions at the same time. God send that the Argentines and the Orientals may have strength to maintain their cause, which is the cause of America. For ourselves, we do not want strength, nor, haply, spirit, to rise to the elevation of national dignity which the times demand; failing to do which—that is, to assume the greatness which belongs to us, and which events thrust upon us—and striving to act, tortoise-like, in an acquiescent negativeness of mere defensive policy—we shall soon be crushed under the superincumbent mass of the overruling and aggressive weight of Europe.

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## NEW-ENGLAND.

BY MRS. J. W. MERCIER.

"Where the blue is richest
In the starry sky,
Where the softest shadows
On the green sward lie."—HEMANS.

I see them still in fancy! distant scenes,
Where mount and streamlet bask beneath the sun,
And the lake's ripple ever brightly beams,
Ere its pure waters to the ocean run.
Where stands the home my memory hath cherished,
With eager yearnings since my early days.
Oh! hath its brightness with time's fleetness perished?
Lingers no beauty in its winding ways—
Which knew in former years my childhood's sportive plays?

Still waves in beauty, o'er that sloping lawn,
The towering crests of many a forest tree?
From which fair birds at every morning dawn,
Poured forth their warbles, ever wild and free.
Decked is the earth with nature's rarest flowers,
Where erst arose the gay magnolia's head?
Stately in beauty 'mid our northern bowers,
As in that home where no chill breezes tread—
Far in the sunny south, their wild and native bed?

No voice returns an answer;—in that home,
Are stranger forms and faces, rudely blent
With those loved objects, where were wont to roam
My parent's footsteps—where my youth was spent—
In summer dreamings, 'neath that sky, which ever
Seemed with unrivalled beauties bent above
My father-land—which holds in thrall, forever,
The deepest tendrils of my earthly love—
And there I fain would turn, as to the ark the dove.

Yes, once again, New England! I would gaze
On thy free hills and ever rushing streams,—
Would wander where the mountain torrent plays,
And the sun's glory ever brightly beams.
Where rock and forest, rudely wild, are blending
Mystic beauties in my native clime,
And low-toned music upward is ascending,
From nature's fountains, ceaseless and sublime—
And every heart is taught to worship freedom's shrine.

Oh, land of beauty!—land of light and love!
In dreams of fancy I am gazing still,
Where heaven's high archway peerless bends, above
Thy rocks' stern grandeur and thy cloud-cap't hill.

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My spirit o'er thy broad, green fields is bounding,
Thy rocky dells and forests it has traced,
Has heard the shout of voices loved resounding,
And kindred spirits it has there embraced,
Which memory through life, nor time, nor tide efface.

How o'er those scenes my memory loves to dwell,
Culling the flowers from out its gushing spring,
Till high each pulse with feelings' tide doth swell,
And back the past with life-like glory bring;
When not a tie we cherished had been broken
Binding us to that ever sunny spot,
And parting words remained as yet unspoken,
Save to the dead who slumber unforgot—
Making it hallowed ground, beside their native cot.

Thrice hallowed art thou, too! oh, land! where came
The Pilgrim-fathers o'er the bounding sea,
With holy trust unto thy wild domain,
And anthems pealing from the glad, the free.
They sought not there the wreaths which warriors ever,
With pride find woven for the victor's head,
Nor earthly coronals whose light for ever,
In fame's bright halo far abroad is spread,
And gleams for ages ever, o'er the glorious dead.

They sought a home whose wealth should be the shrine,
At which each heart in freedom pour'd to Heav'n,
Its own glad homage—where in strains divine
The purest incense that on earth is given,
Might rise unfettered as the breezes playing,
Through the dim forest of their new sought home,
Or ocean's waves which onward far were straying
With mingled music in their rushing moan,
Where all in freedom still! bow at Jehovah's throne.

Bright favor'd land! how oft I turn to thee
In the still watching of the deep midnight,
And view the changes which perchance may be
Now passing o'er thy brow of varied light.
Time's hand, methinks, some trifling beauty sweepeth
Down the broad current of its Lethe'n tide,
But nature's glories still their grandeur keepeth—
As in calm beauty, basking side by side,
Thy rock-crown'd mountains tower! thy blue streams silent glide.

Land of my birth! and of my early home,
Though years should pass, still will I cling to thee,
Oh! cherish'd clime—where freedom's stalwart throne
Bids man ne'er bow to fellow-man the knee.
And dearer deem thou than all climes where bending,
Are cloudless skies with faultless tints above,
Where eastern perfumes far and wide are blending,
O'er buried glories still the plaint of love—
And ancient ruins smile—though green leaves wave above.

*Towanda, Pennsylvania.*

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# THE GAME OF NORTH AMERICA:

## ITS NOMENCLATURE, HABITS, HAUNTS, AND SEASONS; WITH HINTS ON THE SCIENCE OF WOODCRAFT.

BY FRANK FORESTER.

### No. IV.

### THE QUAIL.

The migratory habit of the American quail has always been in some degree a disputed point, among both naturalists and sportsmen, and I know many of the latter who deny it altogether.

Notwithstanding this, I am myself thoroughly convinced of the fact, that the bird is, to a certain degree, migratory during some weeks of the autumn; and I think I can establish this fact from my own personal observation, as well as from the statements of others worthy of high credit. The reason of the doubt on this subject arises from two causes; first, that the migration of this bird is short, irregular, continuous, and, apparently, causeless; and, secondly, that it is not nearly so distinctly marked in this district of the country as it is in the western states, where the bird is infinitely more abundant than in these regions.

When I state that the migration is irregular and *continuous*, I mean to say, that the bird, at no season, *entirely* leaves any section of the country; but that there is a constant movement of successive bevies in the same direction, which is invariably eastward; and I am perfectly satisfied that this is more or less the case everywhere, and that it is more conspicuously so the further west we travel.

Audubon, than whom no better authority exists, for he writes from personal observation, states, that on the banks of the western rivers, he mentions, I think, particularly the confluents of the Ohio, these beautiful little birds may be seen regularly in the autumn, running eastward in great flocks, not single bevies, and crossing the large streams on the wing, always in the same direction. During a discussion which took place in the pages of the New-York Turf Register, originating between that excellent writer and most estimable man, Wm. P. Hawes, and an anonymous author using the signature 'H.', of Marietta, and subsequently enlisting, on one side or the other, half the sporting writers of the country, some new and striking authorities were elicited on this fact; these I shall here present to my reader, and, in corroboration of these, apply some recent observations of my own, which cannot, I think, but prove conclusive.

The first of these authorities is a very distinguished writer on turf affairs, under the signature of 'ALPHA,' whose testimony is the more valuable on this point, that he is in some measure an unwilling witness.

Quoting from an article of mine, he says, "'The quail is known to be a bird of passage.' Ours is not so *generally* known to be at least. *I* doubt it very much. They seem to me, in the fall, to be taken with a sort of crazy rambling fit, which lasts for so short a time as not to allow of a very distant emigration. Some people say they always fly east."

The writer then proceeds to speak of the large flocks in which the quail is said to travel in the autumn, declaring that he has heard of the fact, but never seen or believed it.

The testimony of Alpha, therefore, proves all that is asserted, namely, that there *is* a general migratory movement, which he graphically describes as "*crazy and rambling*" in the early autumn, and that it is thought to be eastward. This paragraph brought out another witness, the celebrated "N." of Arkansas, than whom there exists no person better qualified to speak to any fact concerning field-sports in America.

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He testifies distinctly, that he *has seen*, with his own eyes, vast congregated flocks of quail; and knows, of his own knowledge, that in his own state, and throughout the western states, there is an annual eastward autumnal migration.

So clear and positive is he on this subject, that the writer, from whom I quoted first, admitted in a subsequent paper, "Alpha" must give up to "N." of Arkansas. I know "N." of old, and although he is no very great sportsman in the *little* bird line, he knows what he sees; and like the young Persian, "when a boy, he learned to shoot, ride a horse, and speak the truth."

The admissions of these western writers, who have every opportunity, which we lack, of observing the manners and disposition of this bird, when combined with the paramount authority of Mr. Anderson, settle the question, as it appears to me, so far, at least, as the western country is concerned.

Now, as it might be replied to this, that the quail is migratory in the west, but stationary here, I will adduce two circumstances which have fallen under my own immediate observation, and which I think indisputably show that the migratory character of the bird is unchanged in this region of the country.

It will be remembered by all sportsmen, that the winter of 1835-36 was one of extreme and unusual severity; that the ground was covered with snow to the depth of several feet from the early part of January until the middle of April; and that much apprehension was entertained that the quail would be entirely destroyed throughout this section of country. Precautions were taken very generally to guard against this misfortune; live quail were sought during the winter by many gentlemen, and carefully preserved until the spring; some were even imported from South Carolina.

Among others engaged in this work of solicitude love, I bought myself, and kept in New-York, a hundred brace of these birds; and on the tenth of April turned them out in the vale of Darwick, my favorite shooting ground at that time, on the farms of two different friends, by whom I was very confident they would be preserved.

It so happened that I spent the greater part of that summer, from the middle of June until the end of August, in the immediate neighborhood of the place where the birds were turned out, and feeling a good deal of interest in the matter, watched them regularly during the whole breeding season.

The consequence was, that I knew the existence and locality of above twenty nests, no one of which contained less than a dozen eggs, all of which were hatched safely, and got off early, by the old birds.

There must have been, of course, many other nests which were not discovered at all; and many of those birds whose first broods I saw, must unquestionably have raised second and third bevies.

Naturally enough, I was delighted with the success of my experiment, and augered great things concerning the autumn shooting of that year.

I was on the ground at daylight on the first day of the season, with a party of friends, whom I had seduced into accompanying me by the promise of admirable sport; we had undeniable dogs with us, in considerable numbers; we spent nearly ten days in thoroughly rummaging the country; and, without vanity, I believe, I may say, that we knew sufficiently well what we were about, not to leave many bevies behind us.

The result was that we had no sport whatever—two or three bevies were all that we found over a wide tract of of country; and from that day to this, the race of quail has run so nearly extinct in that region, that it is not worth looking for them.

The explanation of this fact is, I think, easy enough. The native breed of quail were, as we had expected, nearly exterminated; those which were turned out emigrated, to a bird.

It is proper that I should add, that the Darwick shooting grounds were at that time shot over by no sportsman but myself; and that the people of the place hardly knew what it was to shoot flying. Birds of prey were scarce, and could hardly, however plentiful, have destroyed *the whole broods* of a hundred brace of old birds.

The second anecdote, which I have to relate, is yet more conclusive.

The summer and autumn of 1844, I passed at the pleasant village of Bristol, on the western bank of the Delaware; and, with my friend Mr. B——, an excellent and thorough sportsman, had a

good deal of shooting at quail, woodcock and grass-plover in their seasons. Having little else to do, I was out shooting certainly three times a week, and for some days previous to the commencement of the quail season had beaten all the country for several miles up and down the river and westward, for woodcock.

In doing this, I became satisfied that there were no quail, to speak of, in the vicinity; not, at the utmost, above two or three bevies; and our sport, after the close time expired, corroborated my opinion in this respect.

Shortly afterward, when the cold weather set in, not an evening passed, but bevy after bevy came about dusk into the gardens and orchards of the village, and into all the surrounding coppices, and might be heard calling in every direction until nightfall.

Morning after morning, as soon as it was light enough to shoot, I was a-foot expecting to get sport; but not in a single instance did I find any birds, though I subsequently learned that a few, who knew their habits in that district, crossing the Delaware to the Jersey shore, had good shooting on these very birds, which, it seems, invariably crossed the river, there scarcely a mile in width, as soon as the morning twilight was growing gray.

This migration is perfectly well known to all the sportsmen in that district; it takes place regularly every autumn; commencing with the first sharp frost, and continuing from three to six weeks; it is invariably from the west eastward; and the countrymen will tell you that the birds are making their way to the Pines, on the Jersey shore, which I do not believe. Lastly, I could not learn that any counter-migration, from the east westward, has ever been observed, though several intelligent persons, whom I questioned, informed me that they had looked for such a thing annually, but in vain.

The birds, I should add, are constantly seen flying across the river by early laborers, and fishermen; and occasionally, if the wind should be adverse, the weaklings of the bevy fall into the broad stream, and perish.

These facts, in my opinion, thoroughly establish the fact, that the quail *does* migrate, though of all migrations it appears to be the most strange and mysterious.

Contrary to all expectation, at the commencement of the cold season the quail *runs*, for unless in crossing large streams, or sheets of water, I am satisfied that the journey is made on foot, from the warmer west to the colder east.

Food can have nothing to do with the change of locality, since that abounds most, where the climate is mildest.

Appropriateness of breeding-ground is not involved in the movement, for it takes place at the very opposite season of the year.

Lastly, it cannot be ascertained whither the passengers go, or where their wanderings terminate.

The consequence of this annual eastern migration ought to be, at least, a temporary accumulation of bevies in vast numbers to the eastward; since, as I have stated in my last paper, there is an eastern limit, and that not very distant, to the existence of the bird at all.

No such accumulation is known, however, or rather no such accumulation exists.

It is almost certain, therefore, that after what ALPHA calls its "crazy rambling fit," the quail again returns westward, though to say the least, it is strange in the extreme, that constantly seen, as it is in all parts of the country, on its eastern movement, it has never been heard or seen when working its way backward.

Of one thing only we are certain, that no instinct of the humblest of God's creatures but has its meaning and its use, and I know nothing, which should lead us so much to doubt our own boasted intellect and superiority, as the conviction which must force itself upon us the more strenuously as we examine the more deeply, how little we can comprehend of the wonderful nature and wisely constituted habits of what we term the inferior animals.

Every year, it is true, brings something to our little stock of knowledge, and if sportsmen and gentlemen residing in the country, generally, would note down the times, and accidents, which they observe with regard to natural history, whether of birds, beasts, fishes, or flowers, and would occasionally give these to the public, it is incredible how much information might be collected, and in how short a time.

I will take, therefore, this opportunity of requesting gentlemen, who take any interest in field-sports, to communicate to me any observations they may make, however seemingly unimportant —for from masses of trifles are combined great truths—concerning the habits, and more especially the *migrations*, of all sorts of game, either directed to my own residence, or to the offices of the Democratic Review, or the New-York Spirit of the Times. Precision of dates is of the greatest importance; and I doubt not, from simultaneous observation in many parts of the country, of the first and last appearance of various birds, as the woodcock and English snipe, of the earliest and latest pairing, nesting and hatching, as of quail, &c., that much might be gained of really valuable knowledge concerning very interesting, and comparatively speaking, unknown portions of natural history.

I shall now proceed to the existing laws for the preservation of this beautiful little bird; to the alterations which I would desire to see effected in them, and without which I despair of ever seeing game adequately or properly protected.

The object of the game laws of this country, different entirely from those of Europe, which reserve the right of killing game to privileged classes, is intended merely to protect the animals from annihilation, by guarding them during the periods of nidification, incubation, and the immaturity of the broods—and their operation is consequently limited to prohibiting the killing of game during certain seasons of the year.

The great difficulty which has hitherto resisted the efforts of all those, who see the utility of protecting game, has been found in the impossibility of getting farmers to enforce these laws. Misapprehending their object, and overlooking their own interests in the matter, they have never as yet been willing to prosecute the offenders, or to prohibit *their own neighbors* from killing in season and out of season, although they have perhaps at times enforced the law against strangers.

The reason of this seeming perversity lies, I believe, mainly in the inadequacy and absurdity of the laws themselves; which, having been framed without any proper understanding of the subject, naturally appear to the landowner useless, vexatious, and made for the pleasure of the men of cities as opposed to that of the countryman and farmer.

I have shown, in my articles on the woodcock, that the law does not protect that bird sufficiently long, for the broods are not half-grown in July; and that the woodcock is consequently on the verge of absolute extermination. I have shown, that July shooting is obnoxious to the farmer, because it leads to the damage and destruction of his standing crops; and I will now add, that it is unfair toward him in its operation, because the summer is his busy season, and before the autumn when he has leisure to enjoy field-sport, the woodcock are all destroyed by loafers and pot-hunters.

I have proposed, therefore, that the close time during which woodcock may *not* be killed, taken, or sold, shall be extended from the first day of February until the first day of October.

This alteration will save the immature bird from slaughter by mere cockneys; will act as a guard to the crops of the farmer; and, lastly, will give a fair opportunity of enjoying field-sports to him, who has the best right to enjoy them; the owner and occupant of the land whereon the game is bred and reared.

I now come to the quail; and, for reasons which I shall presently give, as well as to produce simplification and uniformity, qualities which always tend vastly to the practicability and enforcement of the law, I would propose that the close time for this bird shall be the same as that for the woodcock—from the first of February, namely, until the first day of October.

The laws at present prohibit the killing of quail, in the state of New-York, except between the twenty-fifth day of October and the first day of January—in the state of New-Jersey, except between the first day of November and the first day of January; and in the state of Pennsylvania, except between the first day of September and the fifteenth day of January.

Now the first day of November and the twenty-fifth day of October, are *both* needlessly *late* in the season; and the first of January is needlessly *early* in the season for the termination and commencement of close time.

The great majority of the bevies of quail are quite full grown on the first of October; except in very backward seasons, and except in the case of a few very late, *third* bevies.

Let it be observed, that I do not say that all the bevies are full grown; but that they are so, in the proportion of three bevies out of four, will not I think be disputed.

Now the object of the law is chiefly to prevent the depredation of pot-hunters, poachers, idle boys, and village or city loafers, who will kill game at all times when they can sell it. The good sportsman, if he falls upon a bevy of half grown birds, calls off his dog at once; because such *cheepers*, as they are technically named, afford him no sport in the field, and are not fit to serve up on the table.

The very class, moreover, from whom all danger accrues to the half-grown bird, I mean the prowling market shooter, compulsorily spares the half-grown quail, because the victualler will not buy it.

The victualler *will* buy the half-grown woodcock, because at the period when the law allows them to be killed and sold, he can get none other, eight tenths of all July birds being half-grown younglings of that summer; the quail, however, he *will not* buy half-grown at all, because he has always the option of purchasing full-grown birds at the same period of the year.

Hence I argue that the quail runs no danger whatever, from anticipating the present shooting season by one month; since the sportsman will not kill the young bevies, from true sportsmanship; and the poacher will spare them, because they are of no use to him when killed; and because to shoot them is, therefore, a mere waste of powder and shot.

It will, on the contrary, be a farther protection to them; since the farmer, as the law now stands, clearly perceives the absurdity of prohibiting the killing of perfectly mature birds, at the very season which is the most agreeable for out of doors exercise, and the most suitable for sporting.

Still worse is the prohibition to kill quail during the month of January—a prohibition grounded on a total ignorance of the habits of the bird.

It *never* pairs, under any circumstance, earlier than the beginning of February; and in backward *years*, not earlier than March, and even April.

It was only yesterday that I counted fifteen birds in bevy within fifty yards of my door.

I will now cite a fact to show the evil operation of such capricious and useless legislation.

My notice was called, a fortnight since, to a protest, by some highly respectable farmers in the vicinity of Newburgh, exclaiming against all game laws as oppressive, vexatious, and made so as "to restrict not only the *liberties*, but the *legal rights* of one class of society, for the exclusive *pleasure*, and not for the benefit of another"—and giving notice that they will kill game on their own premises at all such times as their convenience, pleasure, or interest may dictate.

This protest contains this remarkable passage: "But why prohibit the killing of game after the first of January? Clearly because the weather is then too uncomfortable for the loafers to leave their grog-shops, and because that is the only season *when the farmer has leisure and can take such recreation.*"

Now these gentlemen are in error, it is true; but only as to the intention, not as to the operation, of the law. The prohibition to kill game after the first of January, *is* useless, vexatious, absurd, and oppressive to the farmer; though certainly it was not intended to be so by those who framed it.

The only chance there is of having game laws enforced, is not only in seeing that they be just, but that they seem just.

They are now unjust, and appear to be more unjust than they are.

Put them in their right form, and no such question as the above will be asked; or, if asked, it can be answered at once by a statement of the actual fact, that the closetime is intended to protect birds during the breeding season, and during that only.

Therefore, I say, open the season for killing and selling quail, woodcock, ruffed grouse, (*vulg.* partridge,) and rabbit, from the first of October to the first, or, if thought better, even until the fifteenth of February. We shall then protect each of these animals during the whole time in which they need protection, and no longer: we shall avoid the appearance, as well as the reality, of partiality

and injustice; we shall ultimately enlist the farmer as a law-preserver, instead of a law-breaker; and, in the end, we may hope to have fine autumnal shooting throughout the land, instead of seeing all the species of game utterly exterminated.

I have two more observations to make under this head, with which I shall close this somewhat, I fear, over long paper.

The first is addressed to those gentlemen, who procured the passage, and were engaged in the framing of the law as it now stands. Their object was, doubtless, to extend the utmost possible preservation to the quail, fearing his extinction, during the deep snows of winter, by trapping and the gun.

Now the fact is, that the quail is in far less danger of extinction than the woodcock.

Farmers, seeing the quail bred and wintered on their land, accustomed to see them daily feeding on their stubbles, and during severe storms taking shelter in their barn-yards, regard them in some sort as poultry; do to a certain degree protect them; and frequently forbid the pursuit of them, while they offer no objection to the hunting of the migratory and swamp-haunting woodcock.

The woodcock, moreover, is much more easily killed, particularly during the absurd and barbarous summer shooting; and, lastly, it is a matter of fact that, while for fifty miles round all our large cities, and even our considerable villages, the woodcock has become almost extinct within the last ten years, the quantity of quail has very slightly declined, if at all, during the same period.

Deep snows and severe weather may thin them for a time, but one or two prosperous seasons bring them about again, and the stock is as numerous as ever.

With regard to the woodcock, on the contrary, I know fifty swamps myself, wherein, ten years ago, it was an easy thing to kill twenty birds in a morning, in which there has not been a solitary cock seen for the last six or seven seasons.

There is no fear, therefore, of injuring the quail, by extending the open season for shooting, while certain annihilation must fall on the woodcock if summer-shooting be not instantly abolished.

My second appeal is to the farmer; to whom I desire to point out, that it is vastly for *his interest* to enforce the game laws, even if he care nothing about shooting himself.

The fondness for field-sports has increased much of late, and the quantity of game diminished so greatly, that if in any section of the country, where game of any kind abounds, two or three owners of adjoining farms would combine to preserve their game strictly, allowing no person to shoot it at any season, and rigorously prosecuting for every trespass, and every breach of the game-laws, they could readily let the exclusive privilege of shooting, over every thousand acres so preserved, for two or three hundred dollars a season, or perhaps even a larger sum.

Advertisements in the "Spirit of the Times," or other papers of large circulation, offering the right of sporting upon such tracts of land so preserved, would be readily taken up by companies of two or three gentlemen, supposing that due reliance could be placed on the strict protection of the game, against all interlopers.

There is no doubt, therefore, but, in good game countries, every farmer owning two hundred acres of land can, by combining with his neighbors to enforce the game laws, realize his fifty dollars, and from that to a hundred a year, without the expense of a dollar, or half an hour's trouble.

I know, myself, at least fifty gentlemen, who would gladly combine in parties, of three, four, and upwards, to hire the privilege of exclusive shooting on good tracts of sporting ground. I would, myself, willingly enter into such combinations; and, should any farmers think this suggestion worthy of notice, would gladly assist them in negotiating such arrangements.

I have no hesitation in saying, that for certain tracts of land, such as portions of the drowned lands in Orange County, New-York: the Big Piece on the Passaic river; the Long Meadow, and Little Piece in the same vicinity; the Chatham meadows in New-Jersey; the quail grounds near Sparta, in the same state; and the like, if resolutely preserved by the joint owners, many thousand dollars annually could be realized, merely for the exclusive right of shooting over them.

Google

The Cedars, February, 1846.

# JAMES NAYLER.

BY JOHN G. WHITTIER.

"You will here read the true story of that much injured, ridiculed man, James Nayler; what dreadful sufferings, with what patience he endured, even to the boring of the tongue with hot irons, without a murmur; and with what strength of mind, when the delusion he had fallen into, which they stigmatized as blasphemy, had given place to clearer thoughts, he could murmur his error in a strain of the beautifullest humility."—ESSAYS OF ELIA.

"WOULD that Carlyle could now try his hand at the English Revolution!" was my exclamation, on laying down the last volume of his remarkable "History of the French Revolution," with its brilliant and startling word-pictures still flashing before my vision. To some extent this wish has been realized in the "Letters and Speeches of Oliver Cromwell." Yet I confess that the perusal of these volumes has disappointed me. Instead of giving himself free scope, as in the French Revolution, and transferring to his canvass all the wild and ludicrous, the terrible and beautiful phases of that moral phenomenon; he has concentrated all his artistic skill upon a single figure,—whom he seems to have regarded as the embodiment and hero of the great event. All else in his canvass is subordinated to the grim image of the collossal Puritan. Intent upon presenting him as the fitting object of that "Hero-Worship," which in its blind admiration and adoration of mere abstract Power, seems to us at times a species of Devil-Worship; he dwarfs, casts into the shadow, nay, in some instances, caricatures and distorts the figures which surround him. To excuse Cromwell in his usurpation, Henry Vane, one of these exalted and noble characters, upon whose features the lights held by historical friends or foes detect no blemish, is dismissed with a sneer, and an utterly unfounded imputation of dishonesty. To reconcile, in some degree, the glaring discrepancy between the declarations of Cromwell, in behalf of freedom of conscience, and that mean and cruel persecution of the Quakers, carried on under his sanction and authority, the generally harmless fanaticism of a few individuals, bearing that name, is gravely urged. Nay, the fact, that some weak-brained enthusiasts undertook to bring about the Millennium, by associating together, cultivating the earth, and "dibbling beans" for the New-Jerusalem market, is regarded by our author as the "germ of Quakerism;" and furnishes an occasion for sneering at "my poor friend Dryas-dust, lamentably tearing his hair over the intolerance of that old time to Quakerism and such like."

The readers of this (with all its faults) powerfully written Biography, cannot fail to have been impressed with the intensely graphic description (Part I., vol. II., pages 184, 185,) of the entry of the poor fanatic, James Nayler, and his forlorn and droggled companions, into Bristol. Sadly ludicrous is it; affecting us like the actual sight of tragic insanity enacting its involuntary comedy, and making us smile through our tears.

In another portion of the work, a brief account is given of the trial and sentence of Nayler, also in the serio-comic view; and the poor man is dismissed with the simple internation, that after his punishment he "repented, and confessed himself mad." It was no part of the author's business, I am well aware, to waste time and words upon the history of such a man as Nayler; he was of no importance to him, otherwise than as one of the disturbing influences in the government of the Lord Protector. But to my mind the story of James Nayler has always been one of interest; and, in the belief that it will prove so to others, who, like Charles Lamb, can appreciate the beautiful humility of a forgiven spirit, I have been at some pains to collect and embody the facts of it.

James Nayler was born in the parish of Ardesley, in Yorkshire, in 1616. His father was a substantial farmer, of good



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repute and competent estate; and he, in consequence, received a good education. At the age of twenty-two he married and removed to Wakefield parish, which has since been made classic ground by the pen of Goldsmith. Here, an honest, God-fearing farmer, he tilled his soil, and alternated between cattle-markets and independent conventicles. In 1641, he obeyed the summons of "my Lord Fairfax" and his Parliament, and joined a troop of horse composed of sturdy independents, doing such signal service against "the man of Belial, Charles Stuart," that he was promoted to the rank of quarter-master, in which capacity he served under General Lambert, in his Scottish campaign. Disabled at length by sickness, he was honorably dismissed from the service, and returned to his family in 1649.

For three or four years he continued to attend the meetings of the Independents, as a zealous and devout member. But it so fell out, that in the winter of 1651, GEORGE FOX, who had just been released from a cruel imprisonment, in Darby jail, felt a call to set his face towards Yorkshire. "So travelling," says Fox, in his journal, "through the countries, to several places, preaching Repentance and the Word of Life, I came into the parts about Wakefield, where *James Nayler* lived." The worn and weary soldier, covered with the scars of outward battle, received, as he believed, in the cause of God and his people, against Anti-Christ and oppression, welcomed with thankfulness the veteran of another warfare; who, in conflict with "Principalities and Powers, and spiritual wickedness in high places," had made his name a familiar one in any English hamlet. "He and Thomas Goodyear," says Fox, "came to me, and were both convinced and received the truth." He soon after joined the Society of Friends. In the spring of the next year he was in his field following his plough, and meditating, as he was wont, on the great questions of life and duty, when he seemed to hear a voice bidding him go out from his kindred and his father's house, with an assurance that the Lord would be with him, while laboring in His service. Deeply impressed, he left his employment, and, returning to his house, made immediate preparations for a journey. But hesitation and doubt followed: he became sick from anxiety of mind, and his recovery, for a time, was exceedingly doubtful. On his restoration to bodily health, he obeyed what he regarded as a clear inclination of duty, and went forth a preacher of the doctrines he had embraced. The independent minister of the society to which he had formerly belonged sent after him the story, that he was the victim of sorcery; that George Fox carried with him a bottle, out of which he made people drink; and that the draught had the power to change a Presbyterian or Independent into a Quaker at once: that in short, the Arch-Quaker, Fox, was a wizard, and could be seen at the same moment of time riding on the same black horse, in two places widely separated! He had scarcely commenced his exhortations, before the mob, excited by such stories, assailed him. In the early summer of the year we hear of him in Appleby jail. On his release he fell in company with George Fox. At Walney island he was furiously assaulted, and beaten with clubs and stones: the poor priest-led fishermen being fully persuaded that they were dealing with a wizard. The spirit of the man, under these circumstances, may be seen in the following extract from a letter to his friends, dated at "Killett, in Lancashire, the 30th of 8th month, 1652."

"Dear friends! Dwell in patience, and wait upon the Lord who will do His own work. Look not at man who is in the work, nor at man opposing it; but rest in the will of the Lord that so ye may be furnished with patience, both to do and to suffer what ye shall be called unto, that your end in all things may be His praise. Meet often together; take heed of what exalteth itself above its brother; but keep low, and serve one another in love."

Laboring thus, interrupted only by persecution, stripes and imprisonment, he finally came to London and spoke with great power and eloquence in the meeting of Friends in that city. Here, he for the first time found himself surrounded by admiring and sympathising friends. He saw, and rejoiced in the fruits of his ministry. Profane and drunken cavaliers, intolerant Presbyters, and blind Papists, owned the truths which he uttered, and counted themselves as his disciples. Women, too, in their deep trustfulness, and admiring

reverence, sat at the feet of the eloquent stranger. Devout believers in the doctrine of the inward light and manifestation of God in the heart of man, these latter, at length, thought they saw such unmistakable evidences of the true life in James Nayler, that they felt constrained to declare that Christ was, in an especial manner, within him, and to call upon all to recognize in reverent adoration this new incarnation of the Divine and Heavenly. The wild enthusiasm of his disciples had its effect on the teacher. Weak in body, worn with sickness, fastings, stripes and prison-penance, and naturally credulous and imaginative, is it strange that in some measure he yielded to this miserable delusion? Let those who would harshly judge him, or ascribe his fall to the peculiar doctrines of this sect, think of Luther, engaged in personal combat with the devil, or conversing with him on points of theology in his bed-chamber, or of Bunyan at actual fisticuffs with the adversary; or of Fleetwood, and Vane and Harrison millenium-mad, and making preparations for an earthly reign of King Jesus. It was an age of intense religious excitement. Fanaticism had become epidemic. Cromwell swayed his parliaments by "revelations" and Scripture phrases in the painted chamber—stout generals and sea-captains exterminated the Irish, and swept Dutch navies from the ocean, with old Jewish war-cries, and hymns of Deberah and Miriam; country justices charged juries in Hebraisms, and cited the laws of Palestine oftener than those of England. Poor Nayler found himself in the very midst of this seething and confused moral Maelstrom. He struggled against it for a time; but human nature was weak; he became, to use his own words, "bewildered and darkened," and the floods went over him.

Leaving London with some of his more zealous followers, not without solemn admonition and rebuke from Francis Hewgill and Edward Burrough, who at that period were regarded as the most eminent and gifted of the Society's ministers, he bent his steps towards Exeter. Here, in consequence of the extravagance of his language and that of his disciples, he was arrested and thrown into prison. Several infatuated women, surrounded the jail, declaring that "Christ was in prison," and on being admitted to see him knelt down and kissed his feet, exclaiming, "Thy name shall be no more called James Nayler, but Jesus!" Let us pity him and them. They, full of grateful and extravagant affection for the man whose voice had called them away from worldly vanities, to what they regarded as eternal realities, whose hand they imagined had for them swung back the pearl gates of the celestial city, and flooded their atmosphere with light from heaven: he, receiving their homage, (not as offered to a poor weak, sinful Yorkshire trooper, but rather to the hidden man of the heart, the "Christ within" him,) with that self-deceiving humility which is but another name for spiritual pride. Mournful, yet natural: such as is still in greater or less degree manifested between the Catholic enthusiast and her confessor; such as the careful observer may at times take note of in our Protestant revivals and camp-meetings.

How Nayler was released from Exeter jail does not appear, but the next we hear of him, is at Bristol, in the fall of the year. His entrance into that city shows the progress which he and his followers had made in the interval. Let us look at Carlyle's description of it. "A procession of eight persons—one, a man on horseback riding single, the others men and women partly riding double, partly on foot in the muddiest highway in the wellest weather; singing, all but the single rider, at whose bridle walk and splash two women: Hosannah! Holy, holy! Lord God of Sabaoth!" and other things, "in a buzzing tone," which the impartial hearer could not make out. The single rider is a raw-boned male figure "with lank hair reaching below his cheeks," hat drawn close over his brows, "nose rising slightly in the middle," of abstruse "down look," and large dangerous jaws strictly closed: he sings not; sits there covered, and is sung to by the others, bare. Amid pouring deluges and mud knee-deep, "so that the rain ran in at their necks and vented it at their hose and breeches:" a spectacle to the West of England and posterity! Singing as above; answering no question except in song. From Bedminster to Ratcliffgate, along the streets to the High Cross of Bristol: at the High Cross they are

laid hold of by the authorities: turn out to be James Nayler and Company."

Truly, a more pitiful example of "hero worship" is not well to be conceived of. Instead of taking the rational view of it, however, and mercifully shutting up the actors in a madhouse, the authorities of that day conceiving it to be a stupendous blasphemy, and themselves God's avengers in the matter, sent Nayler under strong guard up to London, to be examined before the parliament. After long and tedious examinations and cross-questionings, and still more tedious debates, some portion of which, not uninstructive to the reader, may still be found in "Burton's Diary." The following horrible resolution was agreed upon:

"That James Nayler be set in the pillory, with his head in the pillory in the Palace Yard, Westminster, during the space of two hours on Thursday next; and be whipped by the hangman through the streets, from Westminster to the Old Exchange, and there, likewise, be set in the pillory, with his head in the pillory for the space of two hours, between eleven and one, on Saturday next, in each place wearing a paper containing a description of his crimes; and that at the Old Exchange his tongue be bored through with a hot iron, and that he be there stigmatized on the forehead with the letter 'B'; and that he be afterwards sent to Bristol to be conveyed into and through the said city on horseback with his face backward, and there, also, publicly whipped the next market day after he comes thither; that from thence he be committed to prison in Bridewell, London, and there restrained from the society of all people, and there to labor hard until he shall be released by parliament; and during that time be debarred the use of pen, ink and paper; and have no relief except what he earns by his daily labor."

Such, neither more nor less, was, in the opinion of parliament, required on their part to appease the Divine vengeance. The sentence was pronounced on the 17th of the Twelfth Month; the entire time of the parliament for the two months previous having been occupied with the case. The Presbyterians in that body were ready enough to make the most of an offence committed by one who had been an Independent; the Independents, to escape the stigma of extenuating the crimes of one of their quondam brethren, vied with their antagonists in shrieking over the atrocity of Nayler's blasphemy, and in urging its severe punishment. Here and there among both classes were men disposed to leniency; and more than one earnest plea was made for merciful dealing with a man, whose reason was evidently unsettled; and who was, therefore, a fitting object of compassion; whose crime, if it could indeed be called one, was evidently the result of a clouded intellect, and not of wilful intuition of evil. On the other hand, many were in favor of putting him to death as a sort of peace-offering to the clergy, who, as a matter of course, were greatly scandalized by Nayler's blasphemy, and still more by the refusal of his sect to pay tithes, or recognize their Divine commission.

Nayler was called into the parliament-house to receive his sentence. "I do not know mine offence," he said mildly. "You shall know it," said Sir Thomas Widdington, "by your sentence." When the sentence was read, he attempted to speak, but was silenced. "I pray God," said Nayler, "that He may not lay this to your charge."

The next day, the 18th of the Twelfth Month, he stood in the pillory two hours, in the chill winter air, and was then stripped and scourged by the hangman at the tail of a cart through the streets. Three hundred and ten stripes were inflicted; his back and arms were horribly cut and mangled, and his feet crushed and bruised by the feet of horses treading on him in the crowd. He bore all with uncomplaining patience; but was so far exhausted by his sufferings, that it was found necessary to postpone the execution of the residue of the sentence for one week. The terrible severity of his sentence, and his meek endurance of it, had in the mean time powerfully affected many of the humane and generous of all classes in the city; and a petition for the remission of the remaining part of the penalty was numerously signed and presented to parliament. A debate ensued upon it, but its prayer was rejected. Application was then made to Cromwell, who addressed a letter to the Speaker of the house, inquiring into the affair, protesting an "abhorrence and detestation of giving or occasioning the least countenance to such opinions and practices" as were imputed to Nayler, "yet, we being entrusted in the

present government on behalf of the people of these nations; and not knowing how far such proceeding entered into wholly without us may extend in the consequence of it, do hereby desire that the house may let us know the grounds and reasons whereon they have proceeded." From this, it is not unlikely that the Protector might have been disposed to clemency, and to look with a degree of charity upon the weakness and errors of one of his old and tried soldiers who had striven like a brave man, as he was, for the rights and liberties of Englishmen; but the clergy here interposed, and vehemently, in the name of God and His Church, demanded that the executioner should finish his work. Five of the most eminent of them, names well known in the Protectorate, Caryl, Manton, Nye, Griffith and Reynolds, were deputed by parliament to visit the mangled prisoner. A reasonable request was made, that some impartial person might be present, that justice might be done Nayler in the report of his answers. This was refused. It was, however, agreed that the conversation should be written down, and a copy of it left with the jailer. He was asked, if he was sorry for his blasphemies. He said he did not know to what blasphemies they alluded; that he did believe in Jesus Christ; that He had taken up His dwelling in his own heart, and for the testimony of Him he now suffered. "I believe," said one of the ministers, "in a Christ who was never in any man's heart."—"I know no such Christ," rejoined the prisoner, "the Christ I witness too fills Heaven and Earth, and dwells in the hearts of all true believers." On being asked, why he allowed the women to adore and worship him, he said, he "denied bowing to the creature; but if they beheld the power of Christ, wherever it was, and bowed to it, he could not resist it, or say aught against it." After some further parley the reverend visitors grew angry, threw the written record of the conversation in the fire, and left the prison, to report the prisoner incorrigible.

On the 27th of the month he was again led out of his cell and placed upon the pillory. Thousands of citizens were gathered around—many of them earnestly protesting against the extreme cruelty of his punishment. Robert Rich, an influential and honorable merchant, followed him up to the pillory, with expressions of great sympathy, and held him by the hand while the red-hot iron was pressed through his tongue, and the brand was placed on his forehead. He was next sent to Bristol, and publicly whipped through the principal streets of that city; and again brought back to the Bridewell prison, where he remained about two years, shut out from all intercourse with his fellow-beings. At the expiration of this period he was released by order of parliament. In the solitude of his cell he said the angel of patience had been with him. Through the cloud which had so long rested over him, the clear light of truth shone in upon his spirit; the weltering chaos of a disordered intellect, settled into the calm peace of a reconciliation with God and man. His first act on leaving prison was to visit Bristol, the scene of his melancholy fall. There he publicly confessed his errors, in the eloquent earnestness of a contrite spirit, humbled in view of the past, yet full of thanksgiving and praise for the great boon of forgiveness. A writer who was present says, the "assembly was tendered, and broken into tears; there were few dry eyes, and many were bowed in their minds."

In a paper, which he published soon after, he acknowledges his lamentable delusion. "Condemned forever," he says," be all those false worships with which any have idolized my person in that Night of my Temptation, when the Power of Darkness was above me—all that did in any way tend to dishonor the Lord, or draw the minds of any from the measure of Christ Jesus in themselves, to look at flesh, which is as gross, or to ascribe that to the visible which belongs to Him." "Darkness came over me through want of watchfulness and obedience to the pure Eye of God. I was taken captive from the true light; I was walking in the Night, as a wandering bird fit for a prey. And if the Lord of all my mercies had not rescued me, I had perished; for I was as one appointed to death and destruction, and there was none to deliver me." "It is in my heart to confess to God, and before men, my folly and offence in that day: yet there were many things formed against me in that day, to take away my life, and bring scandal upon the truth,

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of which I was not guilty at all." "The provocation of that Time of Temptation was exceeding great against the Lord; yet He left me not; for when Darkness was above, and the Adversary so prevailed, that all things were turned and perverted against my right seeing, hearing, or understanding; only a secret hope and faith I had in my God, whom I had served, that He would bring me through it, and to the end of it; and that I should again see the day of my redemption from under it all; and this quieted my soul in its greatest tribulation." He concludes his confession with these words: "He who hath saved my soul from death—who hath lifted my feet up out of the pit, even to Him be glory forever; and let every troubled soul trust in Him, for His mercy endureth forever!"

Among his papers, written soon after his release, is a remarkable prayer, or rather thanksgiving. The limit I have prescribed to myself will only allow me to copy an extract.

"It is in my heart to praise Thee, O my God; let me never forget Thee, what Thou hast been to me in the night, by Thy presence in my hour of trial, when I was beset in darkness; when I was cast out as a wandering bird; when I was assaulted with strong temptations, then Thy presence, in secret, did preserve me; and in a low state I felt Thee near me: when my way was through the sea; when I passed under the mountains there wast Thou present with me; when the weight of the hills was upon me Thou upheldest me. Thou did'st fight, on my part, when I wrestled with death; when darkness would have shut me up Thy light shone about me: when my work was in the furnace, and I passed through the fire, by Thee I was not consumed. When I beheld the dreadful visions, and was among the fiery spirits, Thy faith stayed me, else through fear I had fallen. I saw Thee, and believed, so that the enemy could not prevail." After speaking of his humiliation and sufferings, which Divine Mercy had overruled, for his spiritual good, he thus concludes: "Thou did'st lift me out from the pit, and set me forth in the sight of my enemies: Thou proclaimed'st liberty to the captive; Thou called'st my acquaintances near me; they to whom I had been a wonder, looked upon me; and in Thy love I obtained favor with those who had deserted me. Then did gladness swallow up sorrow, and I forsook my troubles; and I said, How good is it that man be proved in the night, that he may know his folly, that every mouth may become silent, until Thou makest man known unto himself, and hast slain the boaster, and shown him the vanity which vexeth Thy spirit."

All honor to the Quakers of that day, that at the risk of misrepresentation and calumny, they received back to their communion, their greatly erring, but deeply repentant, brother. His life, ever after, was one of self-denial and jealous watchfulness over himself—blameless and beautiful in its humility and lowly charity. In the latter part of the 8th month 1660, he left London on foot, to visit his wife and children in Wakefield. As he journeyed on, the sense of a solemn change about to take place, seemed with him—the shadow of the Eternal world fell over him. As he passed through Huntingdon, a Friend who saw him, describes him as "in an awful and weighty frame of mind, as if he had been redeemed from earth, and a stranger on it, seeking a better home and inheritance." A few miles beyond the town he was found, in the dusk of the evening, very ill, and was taken to the house of a friend, who lived not far distant. He died shortly after, expressing his gratitude for the kindness of his friends, and invoking blessings upon them. About two hours before his death, he spoke to the friend at his bedside these remarkable words—solemn as Eternity, and beautiful as the love which fills it:

"There is a spirit which I feel which delights to do no evil, nor to avenge any wrong; but delights to endure all things, in hope to enjoy its own in the end: its hope is to outlive all wrath and contention, and to weary out all exultation and cruelty, or whatever is of a nature contrary to itself. It sees to the end of all temptations; as it bears no evil in itself, so it conceives none in thought to any other: if it be betrayed it bears it, for its ground and spring is the mercy and forgiveness of God. Its crown is meekness; its life is everlasting love unfeigned; it takes its kingdom with entreaty, and not with contention, and keeps it by lowliness of mind. In God

alone it can rejoice, though none else regard it, or can own its life. It is conceived in sorrow, and brought forth with none to pity it; nor doth it murmur at grief and oppression. It never rejoiceth but through sufferings, for with the world's joy it is murdered. I found it alone, being forsaken. I have fellowship therein with them who lived in dens and desolate places of the earth, who through death obtained resurrection and eternal Holy Life."

So died James Nayler. He was buried in "Thomas Parnell's burying-ground, at King's Rippen," in a green nook of rural England. Wrong and violence, and temptation and sorrow, and evil-speaking, could reach him no more. And in taking leave of him, let us say, with old Joseph Wyeth, where he touches upon this case in his *Anguis Flagellatus:* "Let none insult, but take heed lest they also, in the hour of *their* temptation, do fall away."

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## TO RONGE.

BY J. G. WHITTIER.

STRIKE home, strong-hearted man!—Down to the root
Of old Oppression sink the Saxon steel.
*Thy* work is to hew down. In God's name then
Put nerve into thy task. Let other men
Plant, as they may, that better tree, whose fruit
The wounded bosom of the Church shall heal.
Be thou the Image-breaker. Let thy blows
Fall heavy as the Suabian's Iron Hand,
On Crown or Crosier, which shall interpose
Between thee and the weal of Father-land.
Leave creeds to closet-idlers. First of all,
Shake thou all German dream-land with the fall
Of that accursed tree, whose evil trunk
Was spared of old by Erfurt's stalwart monk.
Fight not with ghosts and shadows. Let us hear
The snap of chain-links. Let our gladdened ear
Catch the pale prisoner's welcome, as the light
Follows thy axe-stroke, through his cell of night.
Be faithful to both worlds; nor think to feed
Earth's starving millions with the husks of creed:
Servant of Him whose mission high and holy
Was to the wronged, the sorrowing and the lowly,
Thrust not his Eden promise from our sphere,
Distant and dim beyond the blue sky's span;
Like him of Patmos, see it, now and here,—
The New-Jerusalem comes down to man!
Be warned by Luther's error. Nor like him,
When the roused Teuton dashes from his limb
The rusted chain of ages, help to bind
His hands, for whom thou claim'st the freedom of the mind!

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# PAPERS OF AN OLD DARTMOOR PRISONER.

EDITED BY NATHANIEL HAWTHORNE.

## CHAPTER VI.

### LEAVE BARBADOES AND ARRIVE IN ENGLAND.

I PASS rapidly over the events of our residence in Barbadoes. The rumor had for some time prevailed that all the American prisoners were to be concentrated in England; and it was verified about the close of June, by sending one hundred, comprising most of the crew of the Frolic, on board of the Hannibal 74, which sailed in a few days. The paroled prisoners were sent on board the prison-ship preparatory to a voyage to England. The Vestal prison-ship was infested with cockroaches and centipedes; the name of the former was legion; they would drop on to our naked bodies, while turned in, from the beams overhead, in such numbers, that the term shower would be one of verity. Not an article of leather could escape their voracious maws, unless it was put out of their way, and we were obliged to place our shoes under us, when we lay down, to protect them. Incautiously leaving a chip hat exposed one night, I found it the next morning minus all its leather lining. The bite of a centipede is very painful, and causes the part to inflame and swell up to a great degree. The negroes apply a remedy, being rum, in which is infused a number of dead centipedes, on the principle of "a hair of the dog which bit you," and I can vouch for its successful application in my own cure; but whether rum simply would not have done as well as this tincture of centipedes, I cannot say.

On the 23d of July we were taken from the Vestal and embarked on board the Gloucester 74. We were placed under the half-deck, and had a great many sentinels over us, in number ridiculously disproportionate to our unarmed and defenceless condition. At 11, A. M., we were ordered on the poop, until eight bells, or noon, when we were all driven again, at the point of the bayonet, in about the same style that a pig-drover drives his hogs, down below again. Here they gave us some pea-soup, compounded, I should judge, of about a gill of peas to a gallon of water. One of our men began to strip, intending to dive, as he said, for the pea at the bottom of the mess-kid. After this unsubstantial repast, it was charge bayonets again, and huddle upon the poop. We were much harassed while on board this ship by being driven about, on the poop, on the booms, and below, and by being continually watched by a number of sentinels. After the first meal we had food enough, and the officers and men were sufficiently civil. There seemed to be no disposition to vex us; but they had conceived such a gunpowder notion of us, that they were afraid we meditated mischief. "I am afraid of this gun-powder Percy, though he *be dead*." The captain of the ship kept his cabin most of the time—I never saw him but once; he was old and had the character of an imbecile. The crew exhibited a total want of order and good discipline; the officers appeared to be inefficient; and as she was weakly manned, I do not think she would have been an overmatch for a Yankee frigate of the first class. The next day we arrived at St. Vincent, with a view to take on board Lady Brisbane and daughter, (the wife and daughter of the Governor;) but the Benbow 74 had previously been here and taken them away.

Our ship therefore again put to sea, and on the 28th arrived at St. Thomas.

Immediately after our arrival at St. Thomas, eighty of us were sent on board the Benbow 74, Captain R. C. Pearson. This was a good ship, in good order, with an efficient crew under good discipline—the captain a skilful seaman, a rigid disciplinarian, and, I have no doubt, a worthy and good man. Everything on board was in perfect contrast to the state of things on board the Gloucester. We were at first put under the half-deck, and not allowed to go upon deck but by permission, and one at a time; but when we got out to sea these restrictions were very much relaxed. Those of us who had been paroled at Barbadoes were exempted from most of the restrictions imposed upon the others. We sailed from St. Thomas the 4th of August, having under convoy nine sail of merchant vessels. We received very good usage on board this ship, and our rations were of good quality and sufficient in quantity. During our passage I slept every night on a twenty-four-pound cannon, being induced to try this new kind of bed from an indisposition I had from a boy to early rising. The service of washing down the decks used to commence very early every morning, and the men employed in this duty were not very ceremonious in splashing the water about over those of us they caught napping. Now I had no great love for this species of shower-bath, and to escape it, and so to be able to sleep a little later in the morning, I mounted upon this iron bedstead, placing my bag of clothes between the gun and the side tackle-blocks to widen the bed; and it was a comfortable one enough, when I had once got used to it. Misery and captivity make us acquainted with strange beds as well as bed-fellows.

Nothing particular occurred in our passage, which was a pleasant, though rather a long one, for we were often obliged to slacken sail for the dull sailing merchant vessels. We made the Scilly Isles the 20th September, and the next day at night-fall came to an anchor in Yarmouth Roads, in the Isle of Wight, and the next day we ran up to Spithead.

One of our messmates, a little skipper of a privateer, contrived, while on board the Benbow as everywhere else, to ingratiate himself with all hands from captain to cook. He was on terms of particular intimacy with the purser's steward, and used to assist him in serving out the provisions; and having a very capacious pair of pockets, our mess reaped advantage from the friendship. Whether there was any masonry here I know not, but there was such a freemasonry of good-fellowship about this man, that if you had placed him on the island of Juan Fernandes, he would have been on the most friendly terms with the seals. At 11, A. M., and 4, P. M., grog is or was served out on board men-of-war; the liquor is mixed in a large tub, and when "grog O!" is piped, the canteens to each mess repair to the tub and receive the allowance for their messes, and what remains in the tub after all are served, is called the "plush," and goes to the cooks of the messes. Our little skipper took good care every day to be in the neighborhood of the tub at grog-time; and I have been often amused to see him with a sailor at each elbow vieing with each other in the proffer of a friendly glass. This would be a dilemma to a member of an old-fashioned temperance society, which to accept or which to refuse, on one horn of which he must hang; but not so to our skipper, he had no objection to *taking a horn* whenever he could get it, so he would take them both and thus avoid giving any offence. He could sing a good song, tell a good story, (but it would not do to inquire very minutely into the truth of it,) take a lunar, sail and fight a vessel, outlie and outbrag any man of his inches, (being sixty,) and was good company for lieutenant or loblolly boy. His dish was seldom bottom up when good things were being distributed; and when it was so, he fared not much the worse, for it had a marvellously capacious bottom. Presents flowed in upon him in abundance; or, at all events, he said that they were presents—that he had the goods was certain, but we sometimes more than suspected that he was indebted to his sleight of hand for them. Be that as it may, he got them gratis, and we were not disposed to inquire very strictly into the circumstances, for he was liberal in sharing them with us; but we could not refrain from casting a sly joke at the captain every now and then. One night, while in Dartmoor, we heard the

sound of a bugle in the barrack-yard; the captain was asleep; but one of our neighbors, a dry joker, awoke him, and informed him that the guard had been relieved by a troop of horse, and that when he went out in the morning to the office he would certainly receive, as a present, a dragoon's horse and equipments.

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## CHAPTER VII.

### SYBILLE FRIGATE—MARCH TO DARTMOOR

On the afternoon of the day the Benbow arrived at Spithead we were again hustled about and sent on board the Sybille frigate, commanded by a Captain Forrest. The captain was on shore, and the lieutenant in command said he had orders from the captain to prepare a place in the hold for 200 Americans. Seventy of us were accordingly ushered into a room, parted off from the main hold, six feet long and twenty-five feet wide. It was not possible for even 70 human beings to exist in so small a place, and yet the officer said it was prepared for 200. We should inevitably have suffocated in this worse than black hole, if the lieutenant, who appeared to be ashamed of his orders, had not permitted part of us, as a great indulgence, to take up our quarters in the main hold. This was a place which the light of heaven never deigned to visit, and contained a tier of water casks, and above them a layer of six or eight inches of soft mud, in which another tier of water casks had been imbedded—part of this upper tier had been taken away, and into the vacant space, caused by their removal, we contrived to crawl and to stow ourselves away in the best manner we could. It was not possible for me, who was one of the smallest of the company, to stand upright, and our tallest men could hardly contrive to move about from one part of this delectable residence to another. There were a few straggling boards in the hold when we first went down, but the officer, either fearing that they would be contaminated by our contact, or that we should make use of them as weapons of offence, caused them to be removed. We then had nothing to sit or lie down on but the mud; and we used to make our toilets in the morning by scooping the mud out of our ears. We were not permitted to go up, except one at a time, for any purpose; and as 110 more prisoners had come on board, it was so seldom that we could avail ourselves of this great privilege, that the hold, which was not remarkably odoriferous of sweets when we were put into it, very shortly became redolent of all manner of villainous effluvia. We were once or twice permitted to go up—one-third at a time, and remain on deck one hour, when the whole posse of marines on board were under arms to guard us.—Even when in the hold, there were several sentinels, with loaded muskets, stationed at the hatchway; and one followed each man who was permitted to go up, singly.

Notwithstanding this precaution, one daring fellow of our company contrived, one night, to steal up when the sentinel was napping on his post; and he went prowling about among the messes of the crew, and eased them of some of their superfluous clothing and provisions. Another night, the sentinel at the hatchway fell asleep and dropped his musket down among us. We took it away; but when the poor fellow discovered his loss, he cried so piteously, in view of the punishment that awaited him, that we gave it to him again.

When permitted to go up, we were placed in a boat, confined amid-ships on deck, and the marines were stationed all around us. There was an American sailor among the crew of this ship, who, to the extent he dared, showed us kindness; he had been impressed, and was still held against his will. One day, when we were in the boat, they exercised some of the men by shooting at a bottle, suspended from the fore yard-arm, and they made wild work enough of it. Several had fired without success, when it came to the Yankee's turn; his shot smashed the bottle. This excited our national

pride, and we shouted out, spontaneously—"Hurra for the Yankee!" but this was high treason against the pompous English captain, and he caused us to be driven down below again, quick step.

The pretext for our cruel treatment was, that they were afraid that we should rise upon them; and this, too, in the English channel, in sight of other ships all the way, and almost under the guns of the batteries on shore; yet I do not know, if we had continued on board this frigate a day or two longer, that we should not have been goaded into sufficient desperation to make the attempt. Had not the treatment we received in this vessel effectually deprived us of appetite, we should have suffered from hunger; for our food was, as nearly as we could judge, about one-third of a pound of salt beef per day, and half a pound of mouldy shipbread, alive with weevils, for each man; and, in the morning, an addition of half a pint of what they called cocoa, but in which the proportion of cocoa to water was almost infinitely small. I am sorry to feel obliged to go into these details, for I would much rather find occasion to praise than to blame those who had charge of us during our captivity; but the treatment we received on board this ship was marked with so evident a design to oppress us, that I can conceive of no palliation for it.

We sailed from Spithead on the afternoon of the 26th of September, and arrived at Plymouth three days after. In going into the harbor, we struck upon an unfinished part of the breakwater, but we got off in a little while without material injury. But the event was not without danger to us in the hold; for the frigate careened over to one side, and the water-casks of the upper tier gave way, and came smashing down among us—so that we had to dodge hither and thither to avoid them. Luckily, a few bruised shins were the only consequence.

In the evening, we were removed from the Sybille, and were put on board the Van Tromp, an old 64 gun-ship, used as a sheer-hulk. Whether by mistake, or with fraudulent intention, we were reported to the officer of the sheer-hulk by the purser of the Sybille, as being victualled for the next day; and we had nothing to eat on board the Van Tromp, so that we were obliged to start on our travels the next morning with empty and hungry stomachs.

The next morning, we were taken on shore in the transport boats, and landed at that part of Plymouth called Hamoaz, where we found one or two companies of soldiers, who were to escort us on our inland journey. From some cause or other, we were detained on the mole an hour or more, although impatient to move, and to know the worst of it. At last the word was given to march; the soldiers shouldered arms; the music struck up a lively tune, and away we trudged, as weather-beaten, dirty-looking a crew as ever paraded on the soil of "merry England"—Sir John Falstaff's ragged regiment not excepted. Our tramp may have shaken the dust of the Sybille from our feet, but it could not dislodge its mud from our tattered habiliments and tangled elfin locks; it was too firmly imbedded, and required many days' purification in the bathing-pond of Dartmoor before we got rid of it.

The spectacle could not, I presume, be a rare one to the people of Plymouth; yet it seemed to be one of great interest to them—if we could judge from the crowds gathered together to view us as we passed along.—Docks, grog-shops, and ale-houses sent forth their tenants to see us; and, early as it was in the day, the sailors were carousing in the grog-shops, and the noise of revelry and debauch resounded from within their walls. The people were civil enough; they did not insult us, either by language or gesture; and some, I thought, seemed to eye us with a look of compassion.

Before we started, we were surrounded by men, women and children, offering cakes, and fruit, and ale for sale; and those of our company who had any money had thus an opportunity of breaking their fast.

Most of us left Plymouth with craving appetites, which the luxury of breathing the fresh air had very much sharpened, but with the comfortable prospect of marching 16 or 18 miles before we could get any thing to eat; and our legs were so much cramped by our sitting posture in the dungeon of the Sybille, that we could not walk without considerable pain. The officer of the guard was not disposed to make

much allowance for these circumstances, but caused the soldiers to goad the poor laggers with the points of their sharp bayonets, which they found to be admirable promoters of motion. Now and then some poor fellow was found to be utterly unable to continue the journey on foot, notwithstanding these army surgeons were faithful and diligent in the application of their specifics; and he was then pitched into the baggage carts.

At length we arrived at a small village some eight or ten miles from Plymouth, where the soldiers who had guarded us thus far left us, and a detachment from Dartmoor took us in charge. The day was wearing away, the soldiers were impatient, and we were hungry and tired; so we started off again over the muddy highway, up this most bleak and sterile moor. It had been up hill work for us before, but we were now going up hill in good earnest. It was up hill as far as the eye could see; and not a blade of grass, nor the remnants of one, not an object which appeared to be susceptible of cultivation, could be seen. It was all bleak, barren, desolate. We had passed hitherto through a highway, on either side of which were fields, which although the harvest was gathered, bore marks of high cultivation; but now all was changed to sterility.

On our journey, hitherto, we had met a number of market women who were going to, or returning from Plymouth. We were objects of great curiosity to them; and they upbraided us in their Devonshire patois, with being renegade Englishmen and traitors, and predicted that they should shortly have the pleasure of seeing us all hung. It was in vain to protest that we were Americans; they would not believe it; they could not conceive how, being Yankees, we had white skins and talked the language, as one of them said, "almost as gud as we do."—"No! no! there is but one Yankee among ye all."—"And which is he?" inquired one of our number. "There he is," said she, pointing to a black man, a native of one of the West India islands, who spoke English very imperfectly.

To show the utter weariness of most of our party, I will relate a simple fact: One of my messmates had on a very good overcoat, or pea-jacket, when we started from Plymouth, but we had not proceeded far, before he found it irksome to wear it. He accordingly took it off and bore it on his arm, for some distance, when, finding himself unable to carry it farther, he hired a companion to bear it for him. This one soon became tired of it, and relinquished his bargain, and he then endeavored, in vain, to hire some one else. He then offered to make a present of it to me, and although in my state of destitution, I eagerly coveted it, yet I had as much as I could do to drag my legs along, and I refused it. After endeavoring in vain to give it away, he, in desperation, threw it down by the road side, when it was picked up by a soldier and tossed into the baggage carts when they came along. It was restored to him in prison.

At last, after a weary journey of 16 miles, we came to a straggling village called Princetown, which is but a little distance from the prisons, and the inhabitants of which were, in some way or other, dependent on them for support. It was called Princetown in honor of the Prince Regent, afterwards George IV., who was the owner of this moor. Here we halted for a few minutes, and then resumed our march.

It was night when we had succeeded in crawling over this tedious road, and had arrived at the depot. The baggage carts had not yet come up; so we were all huddled into an empty prison, without any change of raiment, and without any bedding, and the keys turned upon us. Presently we had some pickled fish, and some bread and water sent in; and never shall I forget with what avidity we seized upon them, how we rolled the sweet morsels into our mouths, and how we washed them down in copious draughts of pure water. Never, never, till my dying day, shall I forget it; for it was the sweetest repast I ever partook of. Having thus broken, what to many of us was a thirty hour's fast, we laid ourselves down in our wet and muddy clothes, on the cold stone floor, and soon forgot our weariness, and wretchedness, in sleep.

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## CHAPTER VIII.

### FIRST DAY IN PRISON—INTERIOR OF THE PRISONS—DESCRIPTION OF THE DEPOT

With the cold stone floor for my bed and my jacket rolled up for a pillow, I slept soundly. I had become inured to hard lodgings by my experience on the 24 pounder, for which I would gladly have exchanged my soft one in the Sybille. I knew nothing that night, except that, in the course of the evening, the doors were opened to let in another detachment of prisoners. Not poppy, nor Mandragora, could minister to me such sound sleep as I experienced then; but when I awoke in the morning, I was cramped with the cold.

I was aroused by the turnkey opening the ponderous doors of our prison-house, and by his harsh command, to "tumble up and turn out." We were turned out into the yard, where we found a number of prison officials waiting for us. Each man was measured, and his height recorded in a book; he was critically examined, and his face peered into to discover any mark by which he might be distinguished; this, and his complexion, were likewise recorded. He was interrogated as to his age, place of nativity, the vessel he was captured in, and the station he filled on board. His answers to these questions were set down against his name. We had a worthy Irishman of our company; and when asked, where he was born, he answered, "Ould Ireland, sir. I'll niver deny me counthry; but I've me American natchuralization papers about me."—"Your naturalization papers will not serve you," said the clerk; "you will be hung for a rebel, you Irish scoundrel."—"Och botheration," said pat, "and bad luck to ye, the hemp isn't sown yet, that'll make me last convulsion," and off he went laughing. He was never afterwards molested. I never heard of but one instance of the absurd extremity of the law being executed on any British subject captured in an American vessel; though no doubt there were a great many so captured. This was a young, likely, and interesting man, named (I believe) James Wurburton. He was one of a prize crew, which was put on board a Salem vessel, captured previous to the war, under the orders in Council. An officer, and one or two men, were left on board; and they, with the assistance of Wurburton and some others of the prize crew, retook her and brought her into Salem. There he resided several years, and then went out in one of the earliest privateers fitted out from thence, in the rank of a petty officer—was captured in her—was recognized and sent to Spithead—tried by a court-martial, convicted and hung at the yard-arm of one of the men-of-war.

While cruizing in the Frolic, we captured a small sloop, belonging to St. Vincents, but not being of much value, we released her. We enlisted out of her a young Englishman, about seventeen years of age; he had never been in the United States, and enlisted on board of us on account of the cruel treatment he received from the captain of the sloop. We did not put him on the schooner-roll, for fear of accident; and when captured, we reported him as a prisoner. When we arrived at Barbadoes, the sloop was there, and the captain came on board the Heron and complained of the young man. He was arrested as a traitor, put in irons, and sent on board the admiral's ship. His trial took place in a short time after, and we were afraid that he would be hung, and felt much interested in his fate, as he was a very amiable young man. On his trial, however, one or two English man-of-war's men went before the court and swore that they knew the lad to be an American, having boarded at his mother's house, in Norfolk, Virginia, when he was a mere child. He was acquitted, and enlisted on board of one of the ships. We always supposed that this story was connived at by the English officers to save the youth from being hung.

I had a neighbor while in prison, who frequently corresponded with his parents in some part of England, and as all letters had to go and come unsealed through the hands of the commander of

the depôt, he must have known of the relationship; but the man was always treated as an American citizen—(I believe he was a naturalized one,) and was sent to the United States with the rest, after the peace.

Some twenty-five years, or more, prior to my arrival at the depôt, there had lived in Salem a young man, an only son of one of its most respectable inhabitants. His father, who was a ship-master, had educated him to his own profession; and being a young man of more than ordinary talents and great energy of character, his prospects in life were of the most promising nature. About the period above mentioned, he went on a voyage to France, and, from some cause or other, he left the vessel, and ceased from all correspondence with his connections. Time wore on, and nothing was heard of J. B., till about the beginning of the present century, when the frigate Essex was fitting, at Salem, for her first cruise, a man of her crew claimed to be the long-absent J. B. B. had a large circle of friends and acquaintances, and the circumstance becoming known, many went to see him. He called them all by their names; related many circumstances of their condition; spoke of the incidents of their former acquaintance, and succeeded in convincing many that he was the veritable J. B.; and even his parents, who at first doubted, had begun to believe that this was their long-lost son.

A man, who had been the most intimate friend of B. when they were boys, and who had continued the intimacy up to the time of his departure, went on board the ship, and a gentleman who was present, has related to me the circumstances of the interview. He says that, when this person first made his appearance, the pretender said, "There comes ——," naming him correctly; but that he did not appear to be desirous to meet him. Presently, however, the person accosted him, and asked him if he was J. B.; and on his reply that he was, he said to him—"If you are J. B, you have a particular mark, (naming it,) on your right foot." The pretender pulled off his shoe and displayed the true mark. The gentleman then said, "J. B. had a certain device, with certain initials, (naming them,) tattoed with Indian ink on his right arm." The pretender, B., immediately pulled up his sleeve and displayed the device and initials. Still there was something suspicious in the man, and many doubted if he was the true one; and the circumstance made no little stir, at the time, in our little community, and his slightest movement was watched, for something to disprove or corroborate his assertion.

One day, when the crew were getting in the shingle-ballast, a crowd was standing round, and this man took a pebble-stone and slung it, with his right hand, over a neighboring building.—"There!" said one, "that proves that he is not J. B.;—*he* was left-handed." The man heard him and took up another pebble, and, with his left hand, threw it further than he had the other. The frigate sailed, and the man went with her, and none knew with certainty whether he was J. B. or an impostor; but the opinion settled down into the latter supposition.

More time passed away, and nothing futher was heard of B. or his counterfeit. The morning when we were interrogated and recorded, as I have described, a crowd was gathered round, as usual, to see the new comers; and after I had answered to my name, which was called in an audible voice by the clerk, and had been inspected, I was accosted by a man—a rough, weather-beaten and care-worn sailor, bearing the marks of premature old age—with the question, if my father was ——, and my mother ——, naming them correctly. On my answering in the affirmative, he asked me if I had ever heard them speak of J. B. I told him that I had heard them both speak of him as a mutual acquaintance, and particulary in relation to the man on board the Essex. He said that he had heard of that circumstance, but that the man was an impostor, as he himself was the veritable J. B., and had not been in Salem for more than a quarter of a century. He related, to me his history, which was the usual one of a sailor—of ship-wrecks and impressment, and hard fare and hard usage, but with which I shall not trouble the reader.

I saw him again, occasionally while there; but did not know whether he was the true man or the impostor, until after my return home. Some time

after this, he returned to Salem, and ended his days in the home of his childhood.

After we had been measured and interrogated, as above, each man received a hammock, bed, blanket, pillow, a bunch of rope-yarns to sling his hammock with, a wooden spoon, a tin pot, and, to every six men, a three-gallon bucket.

After receiving these necessary articles, and, with the assistance of an old sailor, having fitted the lines to my hammock, connected myself with a mess, and chosen out my locality in the prison, I had leisure to walk out into the yard and take a survey of the place, where I was destined to spend I knew not how long a portion of my life. The prisons could boast of no architectural beauty; but they were strong and massy, and seemed to be admirably adapted to the purpose for which they were erected, viz., to keep their tenants secure, and to make them as uncomfortable as possible. They were built of huge masses of stone, firmly cemented together—slated roofs, strong and ponderous doors; and light was admitted from a number of small windows with iron bars, and wooden shutters inside the bars. They were of two stories, with capacious cock-lofts, and each prison was, I should think, from 150 to 200 feet in length. There were to each edifice four doors, two at each end, and opposite each door a very large stairway, built also of stone, leading to the second story. A cook-house stood at one end of each prison. There was no glass in the windows, and we were generally unable to provide any; and it was impossible to admit sufficient light without keeping the shutters unclosed—so that we suffered a great deal from the cold, damp winds, during our winter residence here. The windows were about nine feet apart, and about eighteen inches high and twelve wide.

The interior of the prisons was very gloomy; there being no ceiling to the rough stone walls, they were very dark, very damp, very dirty, and, altogether, about as uncomfortable places of abode as the malicious ingenuity of their contrivers could possibly have hit upon.—The floors were of stone—said to have been originally covered with cement; but the only cement I saw was a very thick one of dirt. There were stanchions, or upright posts, some of wood and some of iron, running through each prison, forming an alley on each side to pass from one end to the other.—These stanchions were about one foot and a half apart, and were used for suspending our hammocks. Three of these, comprising a space of four and a half feet, were allowed for six men to live in—being nine inches for each man in width, and about eight feet in length. A comfortable allowance, truly! but it was better than the hold of the Sybille, and I was thankful for the exchange, though it was being grateful for *very small* mercies. The hammocks were hung one above another, and, when the prisons were very full, sometimes in three tiers. It was necessary, therefore, that we should have a pretty good understanding, each with his neighbor, about turning in, as, when the lower hammock was occupied, one wishing to get into the upper one would have to tread on the tenant of the lower.—Sometimes the hammock-lashings would break and the hammock come down; and if it was an upper one which this catastrophe befel, the tenant of the lower was in no envinble position. I have known very many ludicrous incidents attend this launching of hammocks, but never a serious one, though it was an operation not unattended with danger. Sometimes a dreaming occupant of the upper tier, who had partaken of a late meal, would give too much of a lurch to starboard or larboard, and tumble out.

Dartmoor prison is generally spoken of as if there was but one prison, when, in fact, there were seven, and the official name was "The Depôt for Prisoners of War, at Dartmoor." The depôt was situated on the declivity of a mountain, and was surrounded with a circular wall of more than half a mile in circumference: this was eighteen feet high—built of solid and massive masonry. Outside of this wall, were three guard-houses, at equi-distance from each other; and the wall was surmounted in its whole extent with a chevaux de frise. Inside of the wall, was another, of solid and substantial masonry, fifteen feet high, with a ditch between the two; and this wall was surmounted with a military walk, on which soldiers were posted night and

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day, and it had angles at every little distance, from which the soldiers might enfilade the captives. Inside of this, again, was an iron palisade, twelve feet high, with the tops sharply pointed.

On entering the outer gate, at which a sentinel was continually posted, and on each side of which was a lodge for the relief, one left the commandant's house on the right and the surgeon's on the left; going down the yard, he passes the commandant's and surgeon's offices on either side; still going forward, he came to another wall with a strong gate, and opening into the military walk and parade-ground. On the right side of this gate was erected an alarm-bell; and alongside the wall were ranged turnkeys' lodges and clerks' offices.—Beyond the parade-ground was a third gate, on each side of which were ranged the store-houses; passing this, you come to the market-square and another wall on each side of the yard, running at right angles with the preceding walls, and forming two enclosures, in the right of which was situated the guard-barracks, and in the left the hospital. You then came to another wall, parallel with the three first, with an iron gate, and inside this an iron railing.—Between this wall and railing was the passage of communication between the yards in which the prisoners were situated. Diverging to the left, you entered a wall running lengthwise, in which were situated prisons Nos. 1, 2, and 3; on the right of this wall, and in the centre of the whole, was a yard, in which was situated prison No. 4; and this yard had a wall running through its centre, subdividing it into two enclosures. On the right of No. 4 was another yard, in which were prisons Nos. 5, 6, and 7. No. 7 was the place of my abode at Dartmoor. The wall separating the prisons from the guard-barracks and hospital was one of no great strength; but this was of very little consequence, for if a prisoner got into the barrack or hospital yards he was as wide from any chance of escape as he would be in the prison yards.

The depôt was extremely well watered, there being an inexhaustible fountain of fresh water on the top of the hill, which was conveyed by aqueducts under all the prisons, and into a fountain in each yard for culinary purposes and other uses, and into a pond for bathing.

At my arrival, No. 1 contained about 1300 prisoners; No. 3 about 700, and No. 4 the same number. Nos. 2, 5, 6 and 7 were empty; No. 7 was opened for us, and was soon after filled up; and upon the arrival of some more prisoners, No. 5 was opened. Nos. 2 and 6 were never permanently occupied during my forced and gloomy residence there. The tenants of No. 4 were nearly all blacks; but, soon after I went there, there was some disturbance between the officers and crew of a privateer, when the officers, to escape mal-treatment, went into No. 4, where they were civilly received by the blacks. It soon became a prison of refuge, to many who were uneasy in their positions in the other prisons. The cock-lofts, or garrets, of the prisons, were the most light and airy situations; next to these, the second story, and worst of all, the lower floor. I became connected with a mess on board the Benbow, most of whom chose a residence on the lower floor, and as I liked the mess I continued with them; but our bay, as we called the place allotted to us, was so dark that I could not see to read but a short time in each day, when the sun was slanting its light into our hole.—Even this opportunity I could not often realize, as the sun did not deign to show his face in this terrible climate very frequently, and the sun of England is proverbial for its want of brightness.

We contrived to have a table to each mess, fashioned, generally, rudely enough, but answering every purpose for which we wanted one; it was moveable, and when not wanted, was stowed away into one corner of our little space. Our seats were such trunks, boxes and chests as we might happen to have; or for want of them, the lower hammocks were a favorite lounge.

Here I was then set down, in this gloomy corner of creation, and in this still gloomier abode of incarcerated wretchedness, and all my bright anticipations of successful privateering resolved into the certainty that, unless death should step in to free me, I was destined to a long imprisonment, as the exchange of prisoners had for some time been broken up.

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## CHAPTER IX.

GOVERNMENT OF THE PRISONS—COURTS AND JURY—ROYALTY IN NO. IV.—KING DICK.

The government of the prisons was essentially democratical; that is, the interior police, and all matters relating to our intercourse with each other, were under the control of a committee chosen by the captives from among themselves. I know not whether they were chosen by ballot, viva voce, or how, nor to what extent the right of suffrage was exercised; for, although I was present when government was first instituted in No. 7 prison, I do not recollect being called upon to vote, nor of having witnessed the election; nor do I find any other reference to it in my diary, than that such and such persons were elected committee-men. The committee had the appointment of the cooks, sweepers, crier, &c.; but these persons were paid by the British government.—There were several cooks to each prison, who were paid three pence a day each; and the cook's office was one which seemed to be eagerly desired, for these members of the *kitchen cabinet* had an opportunity of getting a good belly-full every day, and perhaps some other perquisites;—there are candle-ends and cheese-pairings in all offices. They, however, held their offices by a frail tenure; for it was as true at Dartmoor, in the nineteenth century, as it was two centuries before, that "he has a habitation giddy and unsure who builds it on the fickle multitude." They were often suspected of skimming the coppers, putting the fat into their own pockets, and abstracting it from our hungry maws; and whether the charge were true or not, it was a convenient one to get up, by some aspirant for the office of cook to the sovereign people of Dartmoor."

The sweepers had the duty of sweeping the prisons out every morning in fair weather; but when the weather was so bad that the prisoners could not be turned out into the yards, their duty was confined to sweeping the alleys. The prisoners were turned out every morning early, while two turnkeys stood at the door, to count them as they passed out; and the same precaution was taken when they were turned in at night, to ascertain if the whole number were present; but I suspect, however, they might report to the principal, that they were not very accurate in counting; and the prisoners used to take a malicious pleasure in perplexing them as much as they could.

The crier's duty was to make proclamation of all things interesting to the prisoners to know—new orders, items of news, goods lost and found, articles to sell, &c. This they did by sound of bell. It was also their duty to attend to the selection of jurors, when any one was to be tried, and to officiate as constables at the trials. The selection of jurors was made by the committee, who wrote the names of such persons as they judged to be qualified; and the crier went round to each man, who made a mark against the names of the twelve individuals he preferred. The twelve having the most marks against their names were notified to serve as jurors on that trial; and this process was repeated on the next occasion, those who had previously served, being exempted.

These trials were for offences against public order and against property. Offences against morals were not very strictly inquired into, unless they involved a crime against property; and in this case the inquiry was strict, and the punishment, on conviction, tremendously severe in many cases. I have known an individual, convicted of stealing, tied up to a post and whipped with a cat-o'-nine-tails so severely, that he was obliged to be carried to the hospital; and another who was whipped almost as severely for a gross want of cleanliness. The trials were conducted with a good deal of order and decorum in an odd way. They were held in the upper story of each prison in a place set apart for the use of the committee, and were open to the public, as all trials should be. The committee acted as judges, and were seated together, with very grave and sagacious

looks. These "potent, grave and reverend seignors," no doubt, felt all the dignity and consequence attached to their high functions. It was rather a grotesque sight, at first, to see judges with tarpaulin hats, short jackets, or in shirt sleeves and duck trowsers—to see jurymen in the same habiliments—and lawyers squirting tobacco juice out of one corner of their mouths, in the midst of an eloquent harangue; one hand inforcing by action the power of their rhetoric, while the other was employed in hitching up their trowsers.

The indictments, the pleas, the demurrers, and sur-rejoinders, were not very technical, and were all made *viva voce;* for special pleading was unknown.

There were a number of these sailor-lawyers in the prisons, and they were generally very adroit in the management of their cases. They did not conform very strictly to any known rules, but ranged pretty much at random—they were generally very fluent with their blarney; and it was no small treat to hear some of the cleverest of them. There were no monopoly bar-rules there, but every one was free to practise, who felt himself moved to the vocation, and could get clients.

The committee, too, had the appointment of the barbers, of whom there were several to each prison. I do not know whether these knights of the razor were paid in the same manner as the cooks and sweepers, or whether they were paid by those who availed themselves of their services. For myself, a barber was, then, a useless artizan, my beard (it is now stiff and wiry, to the great annoyance of my worthy razor driver,) had hardly begun to sprout.

It was the committee's duty, likewise, to receive the provisions from the contractors every day; to stand between these grasping gentlemen and the captives, to see that the latter had fair-play, that the provisions were of good quality and sufficient weight. They were furnished with a copy of the contracts, and had the power of rejecting what they did not approve, subject to the further action, on appeal, of the commandant of the depot.

There was, also, another committee called, "The Committee of Correspondence," and these had charge of all matters of correspondence with the agent in London. I do not know who elected them, but they had the full confidence of the prisoners, and were worthy and proper men.

No. 4, or the negro-prison, was an exception to the democratical form of government; this was under a regal, or rather despotic form. A tall, powerful black man, known among the prisoners as "Big Dick," or "King Dick," from being president of the committee, had contrived to depose his brethren in office and to usurp the sovereign sway, and he ruled the poor blacks with as arbitrary an authority as any other despot could. He was nearly seven feet tall and proportionally large, was of a muscular and athletic make, of a commanding aspect, shrewd mind, and an expert boxer. These qualities rendered him very formidable to the poor beings with whom he was surrounded, and contributed altogether to his gaining the sway over them, and very much to its continuance. But one great means of his continuing in power was, I think, the countenance he derived from the white prisoners. They very early perceived the advantage to their own quiet which grew out of Dick's authority; for, in all cases of conflict between whites and blacks, he invariably took the part of the former. I have seen it stated, that the inhabitants of this prison were pre-eminent in Dartmoor for their wickedness and disorder. My own observation did not confirm this statement. I believe that these blacks were, to say the least, as orderly and correct in their deportment, and as moral as their more intelligent white neighbors. Indeed I know, that many of the most respectable prisoners preferred to mess in No. 4, on account of the superior order of that prison. It derived, at first, a bad character from its gaming tables; but the keepers were as often whites as blacks; and after a few months, when gaming became general in all the prisons, we could reproach the blacks with nothing that they could not retort on us with interest.

There was much secret murmuring and dissatisfaction among the subjects of King Richard, and one or two conspiracies to dethrone him; but he, by means of his spies, had knowledge of the treason. Thereupon he went to

the neighbors, and told them of their purposes, and further said, that he would give them fair play; they must come out, one at a time, and try a match at boxing with him; and if either of them could conquer him, he would give up his power to the conqueror; but if no one could, and he ever heard of their rebelling against him again, he would flog them within an inch of their lives. The result was, that he flogged them all, and never heard of any more conspiracies.

Instead of a diadem, Dick usually wore a shaggy bear-skin cap, and for a sceptre, he carried a powerful club in his hand when he went the rounds of his prison; and many of his subjects had a *feeling* sense of his royal grace and condescension, in the love-pats with which he honored them. He dubbed his knights by a blow on the head, instead of the shoulder; and instead of rising up after the blow was inflicted, they were very apt to fall down; but this probably arose from the defective education of the monarch. He probably had not read the ancient or modern writers on chivalry; they were to him sealed-books, for, I believe, he could not read at all. His valiant knights, from a modest and becoming sense of their own unworthiness, seemed as anxious to avoid the honor, as some reverend clergymen in our own time and country have been to eschew the collegiate dignity of a D. D.

The monarch sometimes so far descended from the regal dignity as to throw away the cares of state for a time, and teach a boxing-school in the cock-loft of No. 4. His pupils were mostly white men; for Dick did not care to teach any of his own subjects an art which might prove dangerous to his power.

Dick understood one part of the art of governing as well as any potentate or power that ever existed—that is, the art of levying contributions in a way to cheat the generality of his subjects into a belief that they contributed but little, if anything, to the support of government; for the monarch levied contributions on the shop-keepers, who, in turn, were obliged to collect it of their customers, but in a way that their customers did not wot of. I have heard a story of a master of a merchant vessel, who, returning from a foreign voyage, was settling his account of disbursements with his owner. One item in the account particularly displeased the worthy citizen, and that was a charge for jack-ass hire. He struck it out of his allowance, and sent the master on another voyage to the same port. On settling again, the objectionable item did not appear. "Oh! Captain," said the owner, "I like this; here is no charge for jack-ass hire. The captain, turning on his heel, murmured, aside, "But it is *there*, though you don't see it." The reader, I have no doubt, will make the application of this story, and agree with me, that many men, besides this wise ship-owner and the poor blacks at Dartmoor, pay for jack-ass hire, though they *don't see it*.

Dick understood another kingly art too, very well, for he was a monopolist, and engrossed the sale of beer within his prison; and, as too many of his living subjects imitated the example of their more enlightened white brethren, in "taking an enemy into their mouths to steal away their brains," he found it very profitable—the sale of this commodity giving the vender cent. per cent. profit. Dick did not descend so low as to tend the tap himself, but kept a shopman for that purpose. He had probably little knowledge of the monopolies of any of his fellow-sovereigns; but he had an example nearer home; for the sale of beer was monopolized by the committee in three of the white prisons. The pretence in these, as elsewhere, was, that it was for the public good, and that the profits were expended for the equal benefit of all the inmates of those prisons; and this may have been the case, but then it must have cost a good deal to maintain government there; for, though the revenue must have been large, I never heard of any distribution of the surplus. We managed this thing more wisely and honestly in No. 7 prison; for there, the doctrine of free trade prevailed, and the sale of every thing was left free for any one to engage in who had the means and the inclination to do so. In fact, we were troubled very little with governmental legislation of any kind in No. 7; for both rulers and ruled seemed to understand that the prevailing error of all systems of government is, that the people are governed too much. Every body in No. 7 was left free to

do pretty much as he pleased, if he did not molest his neighbor's person and property, and I do not know that we did not fare as well for it.

Like other monarchs, Dick had his parasites and flatterers; and, though as he engrossed nearly all the functions of the state in his own proper person, he had few or no offices of honor or emolument to bestow upon them; yet, I dare say, they reaped, in some way or other, substantial fruits of his royal bounty.

He kept two white lads continually about his person, whom he took care to select for their comely looks, and to keep them handsomely clad. We denominated them his secretaries, but I rather think that the office of secretary was nearly a sinecure, as I never saw or heard of any state documents within his realm. His orders, like those of other African potentates, were given *viva voce*, and all the proceedings of state and justice within his dominions were of the most simple and summary nature. Their duties, as secretaries, were probably to collect his beer-score, to keep account of his money, and to collect the contributions from the shopkeepers.

He sometimes punished gross instances of drunkenness very severely; and it used to excite my youthful wonder, for, as beer was the favorite potation, the inebriating draught must, in most cases, have been drawn from the royal fountain; but I have for a long time ceased to wonder at it, for I perceive, (or think I perceive,) that the tendency of a good deal of government craft is to tempt men to the commission of crime, and then to punish them on detection. It was said that his royal majesty was sometimes in the habit of indulging his own bibulous appetite to a crapulous degree—but then he had the monarch's privilege;

'What in the captain's but a choleric word,
Is in the soldier rank blasphemy.'

After the peace, Dick was well known, in Boston and vicinity, as a teacher of pugilistics.

(*To be Continued.*)

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# THE HOSTILITY OF ENGLAND TO AMERICA.

IN FOUR SONNETS.

BY THE AUTHOR OF THE "YEMASSEE."

## I.

It argues evil for the future fame,
And present glory, England, that the shame,
Real or imagined, of the numerous race,
That, from thy loins, along the Atlantic shore
Range, with their myriads, fills thy heart with joy;—
And thou, though frequent-failing to destroy,
Exult'st to hold the American grown base,
Sprung from thy stocks, and sharing with thy name,
The patrimonial honors. Thus to place
Next to thy heart, a faith thou should'st deplore;
To hug it close, as if it brought thee pride,
And gain—might well provoke thy lion's roar,
Most anxious, for thy sake, his head to hide.

## II.

To think on thy past glories, and to see
The broad grin on thy visage, at the tale
Of thine own hirelings, happy to dilate
In the salacious narrative that speaks
As often for their falsehood as our shame!
Oh! this should bring the blush into thy cheeks,
And speaks dread prophecies of thy future bale;
Since she who compensates the profligate,
For his poor jest and miserable lie,
Becomes the partner of his infamy;
And, in her malice, lost to honest fame,
Must lose, at length, all true nobility!
Better to weep our errors—nay, deny—
Than own them the best allies of thy hate!

## III.

Alas! thy nutriment is fame no more,—
Garbage, not glory! On thine island throne
With gaze o'er all the world, and appetite
No world can sate—thy busy eyes explore,
While, on each hand, a vulture fresh from flight,
Still brings the tribute offal—food, that now,
In the decay of thy once generous heart,
Alone delights thy palate,—that or none!
One obscene bird, no shame-spot on his brow,
Or thine, delights thee with the slave's own art;
With luscious tribute of base flatteries
Feeding thy grossness, and deludes thee still,
'Till thou hold'st goodly all those deeds of ill,
Which the great world proclaims but tyrannies.

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IV.

Nor less delighted thou with that worse food,
Brought by the opposite bird; whose tribute wing
Blackens with cover of a numerous brood,
In slander of thy neighbor—'till thy breast,
Dilates with equal vanity and spite,
Big with corruption, a huge venomous thing.
With its own venom still denied to rest.
Thus throned, thus feeding fat in either ear,
Thy pride and malice,—not for thee to mark,
That arm, how silent-stretching, and how near,
That hangs o'er thee from heaven, half-hid in dark;
Within whose grasp the lightnings gathering, keep,
Impatient,—which shall one day cease to sleep!

## COMMERCIAL REFORM.*

The two most important documents, in a commercial and economical view, that perhaps ever issued from modern governments, passed each other on the Atlantic, during the past winter, as messengers of peace and future prosperity to the people of both England and the United States. For thirty years the commercial policy of England has been rapidly approaching the free trade point. The welfare of her people, as distinguished from the privileges of the aristocracy and the splendor of an imperial government, has demanded, in yearly swelling tones, the abandonment of protection and the cessation of special privileges. Enlightened statesmen have acknowledged the necessity and understood the remedy. They have gradually removed, piece by piece, the obstacles that presented themselves to the progress of national industry, and at the opening of the session of Parliament for 1846, the most popular minister of England announces his future policy to be that of free trade, and the military representative of the aristocracy in the cabinet declares his determination to support him. In 1816, England stood covered with her old protective panoply, the time honored accumulations of ages; she was well accoutred for the long battle through which she had passed, but she speedily discovered, that, encumbered like a modern light infantry man, in the armor of a knight of the olden time, she was in no condition to strive in the arts of peace with her more active, because less burdened rivals. In 1816 she first threw away a portion of her navigation act, and year by year has since lain aside other burdens that impeded her progress, until she now stands nearly in her gigantic native strength, unrestricted by useless and obsolete contrivances for defence. It is true, she has yet her debt, and her army and navy bills, which cost her near $240,000,000, about equal to the whole value of her export per annum, and in so far she labors under a disadvantage to which the United States are not subjected. These will pass off with the progress of events. The chimera of the "balance of power" cannot long survive the prostration of its twin absurdity, the "balance of trade." The progress of free trade in England has been the most rapid in the last four years; in fact, in that period of time it may be said first to have become recognized by the government as a principle. It is true, that for many years the wisest and most enlightened men in England have

* 1st. Annual Financial Statement of Sir Robert Peel, session of Parliament for 1846. 2d. Annual Report of the Secretary of the United States on the Finances, first session of the 29th Congress.

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been perseveringly and laboriously working in the cause, and to their exertions is due the fact that sound principles of trade have made such popular progress, as to enforce upon the minister the necessity of tearing himself from his aristocratic associations, and standing forth the champion of the great truths expounded by Adam Smith. About seventy years ago the "Wealth of Nations" was put forth; at a period when economical science was covered in darkness, and the grossest errors prevailed in regard to economical legislation. Gradually the truths contained in that work have spread in the public mind, until they have become the rule of action for the government of the greatest commercial empire of modern times. It is to such men as Richard Cobden that the merit of disseminating these truths is due. We have before us a pamphlet, published by that gentleman in 1836, and, to show the spirit which moves great, enlightened and philosophic minds like his,—minds that recognize in free trade principles the means of conferring the greatest good on the greatest number in all countries, we make the following extract:

"Of the many lessons of unsophisticated and practical wisdom which have—as if in imitation of that arrangement of perpetual decay and reproduction that characterizes all things in material nature—been sent back from the new world to instruct the old, there are none so calculated to benefit us—because there are none so much needed—as those maxims of providence and frugality, to which Franklin first gave birth, and which, gaining authority and strength from the successive advocates and practice of Washington, Jefferson, and Jackson, have at length become identified with the spirit of the laws and institutions of the United States.

"The first, and, indeed, only certain step towards a diminution of our government expenditure, must be the adoption of that line of foreign policy which the Americans have clung to, with such wisdom and pertinacity, ever since they became a people.

"Bearing in mind that the supply of the raw materials of nearly one half of our exports is derived from a country that threatens to eclipse us by its rival greatness, we cannot, whilst viewing the relative position of England and the United States at this moment, refrain from recurring to the somewhat parallel cases of Holland and Great Britain, before the latter became a manufacturing state, when the Dutchmen purchased wool from this country, and sold it to us again in the form of cloth. Like as the latter nation became at a subsequent period, as we are now, overwhelmed with debt, contracted in wars or the acquisition of colonies; whilst America free from all burdens, as we were at the former epoch, is prepared to take up, with far greater advantage, the fabrication of their own cotton than we did our own wool. The Americans possess a quicker mechanical genius than even ourselves; such again was the case of our ancestors in comparison with the Dutch—as witness their patents, and the improvements for which we are indebted to individuals of that country in mechanics—such as spinning, engraving, &c. We give additional speed to our ships by improving upon the naval architecture of the Dutch; and the similitude again applies to the superiority which, in comparison with British models, the Americans have, for all the purposes of activity and economy imparted to their vessels."

Contrast these noble and enlightened views with the narrow-minded and pitiful cant, which the protectionist here, —the shadows of aristocracy there,— put forth in defence of the policy of taxing the many for the benefit of the few, and reflect who are the genuine republicans, the followers of Cobden there, or the protection beggars here? Letters have been recently circulated bearing the signatures of the largest manufacturers of the Eastern States, and their tone and course of argument is as indicated in the following extract:

"I have not yet known *the British government* to reduce the duties to a point that has reached a single important interest. Their *free trade and low duties never apply to any article that seriously competes with their own labor, nor are they likely to adopt such measures.* The free trade of the political economists of Great Britain, is *a transcendental philosophy, which is not likely to be adopted by any government on the face of the globe*, unless it be the Chinese, and we have already the earnest of the effect of low duties on the internal condition of that country. The trade of that empire is fast approaching to barter; the precious metals having been drained to pay for the foreign products introduced into it."

That these opinions are expressed by a few interested persons is matter of no moment; but when we reflect that this government has acted upon notions so disgraceful to an intelligent people, and that that action has been supposed

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to be in accordance with the will of a majority of American republicans, the reflection is anything but flattering.—Mr. Cobden exclaims, "Remove your burdens on industry, or you will not be able to compete with active, skillful, intelligent and untaxed Americans." The monied aristocracy here exclaim, "Lay an embargo upon imports; give us a monopoly—we are unable to compete with the *pauper labor of Europe.* The half-starved, tax-burdened and uneducated paupers of Europe can beat us at every thing we undertake; therefore protect us." This narrow-minded whining, despicable cant, calls a blush to the cheek of every American nurtured a freeman. This "theory of free trade," this transcendental philosophy," this "utopian dream," is, happily, a "great fact." England stands, to all intents and purposes, "redeemed, regenerated, and disenthralled." The free trade measures of her government, adopted in 1842, have, in the three years since elapsed, more than redeemed their promise, and their success gives the minister the strength to uproot the whole protective system.

It may not be out of place here to glance back at the leading features of English legislation, since the present government came into power in 1842. The deficiency of the English revenue has been large and increasing annually, as follows:

ANNUAL DEFICIT OF BRITISH REVENUES.

| | | | |
|---|---|---|---|
| 1838 | 1,428,534 | 1841 | 1,851,997 |
| 1839 | 430,325 | 1842 | 2,334,559 |
| 1840 | 1,457,223 | 1843, estimated | 2,570,000 |

This gave a total deficit for 6 years, of £10,072,000, and it had become very alarming. The former chancellor, Mr. Baring, had sought to make up the deficit by adding 5 per cent. to all customs duties, and 10 per cent. on assessed taxes, in May, 1840. The result of this for the year 1841, that is, for the year ending January, 1842, was as follows:

| | |
|---|---|
| Net produce of customs and excise, year ending Jan. 5, 1840 | £37,911,506 |
| Estimated produce of additional 5 per cent | 1,895,575 |
| Estimate for 1841, | 39,807,081 |
| Actual receipts for 1841, | 38,118,221 |
| Actual increase ½ per cent. instead of 5 per cent | 206,715 |
| The assessed taxes for the year ending Jan. 1840, were, | 2,758,590 |
| Estimate increase by 10 per cent. addition, | 275,859 |
| Estimated revenue for 1841, | 3,034,449 |
| Actual produce " " | 3,069,947 |

The attempt to raise more revenue by increasing customs taxes, was an utter failure, and the new ministry came into power. This experiment upon the British customs is worthy of particular attention, because their condition then was analogous to that of our own now.

The emergency in which Sir Robert Peel then found himself was great; the difficulties which surrounded him were most serious. He had to provide at once for an accmulated and progressive deficiency of revenue, and for an increasing expenditure: to sustain the honor of the British name and the integrity of the British empire abroad, and to relieve a distressed population and recruit a paralyzed commerce at home; to reduce the pressure of taxation upon the body of the community, and to augment largely the receipts of the Exchequer; these difficulties he has apparently overcome.

In making his great financial exposé, March 11, 1842, he used this remarkable expression:

"I cannot consent to any proposal for increasing taxation on the great articles of consumption by the laboring classes of so-

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ciety. I say, moreover, I can give you conclusive proof that you have arrived at the *limits of taxation on articles of consumption.*"

The deficiency estimated for the year 1842, was about £2,570,000, and this he

| New Taxes. | |
|---|---|
| Income tax | 3,700,000 |
| Stamp duties, Ireland, | 160,000 |
| Spirit " " | 250,000 |
| Export " on coal | 200,000 |
| | 4,310,000 |
| Excess new taxes | 520,000 |

The stamp duties in Ireland were imposed in lieu of the income tax charged in England and Scotland. The income tax was to have remained for three years, which time expired in March, 1845. The reduction in the various custom duties took place on near 1200 articles, and the general principles on which the alteration took place were as follows:

1st. Removal of prohibitions and relaxation of prohibition duties.

2d. Reduction of duties upon raw materials to very low duties, none over 5 per cent.

3d. Duties on articles partly manufactured, not to exceed 12 per cent.

4th. Duties on articles manufactured not to exceed 20 per cent.

5th. Reduction of duties upon colonial produce.

In 1844 the duties on wool and glass were remitted. The estimated revenue for 1844 was, under these circumstances, £50,743,000. Its actual revenue proved to be £54,300,000, showing a surplus of £3,357,000!—such was the complete revolution that the first free-trade movement brought about. Having this available surplus of £3,357,000 on hand, the minister, emboldened by the eminent success which attended the working of his principle thus far, determined to apply it to the reduction of other duties, as follows:

| | |
|---|---|
| Surplus | 3,357,000 |
| Excise reductions | 820,000 |
| Duty on cotton removed | 680,000 |
| " on 430 articles removed | 320,000 |
| " coal " | 118,000 |
| " sugar reduced | 1,300,000 |
| | 3,238,000 |

increased to £3,780,000, by *remitting* duties on articles of import; and he met the whole amount by levying a property and spirit tax. The whole arrangement is expressed in the following recapitulation:

| Deficit. | |
|---|---|
| Current deficit | 2,570,000 |
| Various duties reduced | 270,000 |
| Coffee " " | 170,000 |
| Timber " " | 600,000 |
| Export and stage coach | 170,000 |
| | 3,780,000 |

Under this estimate, which embraced the entire removal of duties on cotton, coal, and 430 articles; and therefore could not benefit the revenue by increased imports, consequent, upon that reduction, the customs were to decline, for 1845, £2,418,000. The actual decline for 1845, was only £2,273,466, being £144,534 more revenue than was estimated from that quarter. The ability of the people to consume all taxed goods increased by reason of the removal of taxes upon a part. The post-office has continued steadily to increase its net revenues. The corn duties were also modified about 10 to 15 per cent. In January of the present year, the minister, in the full confidence which success imparts, again comes before the nation, and proposes to thin out the list of articles still farther. There are now 1100 articles upon the tariff list, 500 of which are free, and the minister proposes to increase that number of free articles; and the general principles involved in the new revision, are as follows:

1st. Raw materials free, and nominal duties for tallow and timber.

2d. Coarse manufactures, cotton, wool, and linen, all that enters *into the clothing of the mas of the people*—free.

3d. Fine manufactures, maximum duty 10 per cent

4th. Diminution of discrimination between colonial and foreign free labor produce.

We wish to call particular attention to the fact, that coarse cottons are to be free, because, hereafter, in reviewing the able report of Mr. Walker, the counterpart of the wise legislation of Sir Robert Peel, we shall find the evi-

dence unanimous, that coarse cottons can be made cheaper here than in England; consequently, their admission into England free, enables them to be exported thither. So far the principles of the English government, in relation to the tariff generally, have rapidly culminated to the free trade point. The great feature of the new statement is, that in relation to the corn duties. The minister proposed the reduction of the duties on grain, retaining the sliding-scale until February, 1849, after which date foreign grain is to be *admitted* duty free.

The following is a comparative statement of the three scales of wheat duty, that of 1828, its modification by the act of 1842, and the proposed duties.

DUTY PER QUARTER ON WHEAT.

| Prices | 1828. | 1842. | 1846. | Prices. | 1828. | 1842. | 1846. |
|---|---|---|---|---|---|---|---|
| | s. | s. | s. | | s. | s. | s. |
| over 73 | 1.0 | 1 | 4 | 64 | 23.8 | 8 | 4 |
| 72 | 2.8 | 2 | 4 | 63 | 24.8 | 9 | 4 |
| 71 | 10.8 | 3 | 4 | 62 | 25.8 | 10 | 4 |
| 70 | 13.8 | 4 | 4 | 53 | 34.8 | 18 | 4 |
| 69 | 16.8 | 5 | 4 | 52 | 34.8 | 19 | 6 |
| 68 | 18.8 | 6 | 4 | 51 | 34.8 | 19 | 7 |
| 67 | 20.8 | 7 | 4 | 50 | 34.8 | 19 | 8 |
| 66 | 21.8 | 6 | 4 | 49 | 34.8 | 19 | 9 |
| 65 | 22.8 | 7 | 4 | 48 | 34.8 | 19 | 10 |

The new regulation amounts to a fixed duty of 4s., over a price of 53s. per quarter or equal to 10 cents per bushel, at the present prices. In relation to duties on articles of general export from the United States to Great Britain, the proposed change is as follows:

| | Bacon. | Hams. | Cheese. | Butter. | Pork. | Beef. | Rice | Lard. | Hops. | Tallow. | Corn. |
|---|---|---|---|---|---|---|---|---|---|---|---|
| | cwt | cwt | cwt | cwt | bbls | bbls | cwt | cwt | cwt | cwt | bush |
| | s. | s. | s. | s. | s. | s. | s. | s. | s. d. | s. d. | s. s. |
| 1842 | 14 | 14 | 10.6 | 20 | 8 | 8 | 6 | 2 | 4.10 | 3.2 | 1a11 |
| 1845 | 14 | 14 | 10.6 | 20 | 8 | 8 | 6 | free | 4.10 | 3.2 | 1a11 |
| 1845 | free | 7 | 5.0 | 10 | free | free | 1 | free | free | 1.6 | free |

Most of these articles were prohibited prior to 1842; and cotton, skins, and furs, ashes, wool, and some other articles, were made free last year. The policy of the government, in this great and universal reduction and removal of duties, was avowedly to benefit the masses of the people; and, in relation to manufactures, the words of the minister were as follows:

"There will be some loss in the revenue, but *I believe that the importation of some articles, competing with the production of* our *manufacturers, will stimulate their skill;* and with the capital and enterprise of this country, I do not doubt but that they will beat foreign manufacture."

Nothing can be more sagacious, and no minister that ever guided the destinies of the British empire, ever deservedly earned a reputation for greater wisdom than has the present: certainly there has been none whose measures were ever attended with more prompt and complete success.

It is a matter of gratification, that at the moment when the English minister was undergoing a fierce struggle with the aristocracy, as represented by his colleagues in the cabinet, that his determination to carry out the great principles of his government, against all and every opposition, received strength and support from the able and voluminous report of the Secretary of the United States, on the finances of the country. That document embraces, in 957 octavo pages, a mass of facts and incontrovertible evidence, which show irresistibly the pernicious influence of the existing tariff. The operation of the tariff becomes the more conspicuous, when we reflect that the comparative free trade movement to which this country was pledged, under the compromise act, was, in 1842, supplanted by the present prohibitive enactment, being nearly at the

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same date as at that at which the free-trade movement of the British government took place. That is to say, during the last three years, England has had a tariff unusually low, and the United States one unusually high. The result upon the finances of the country has been, in the United States, the reverse of what it has been in England. In the same period, during which the English treasury recovered its deficit, and yielded several millions, applicable to diminished taxation, the United States continues to have a deficit, and an increasing one. The receipts and expenditures for three years were as follows :

RECEIPTS AND EXPENDITURES OF THE UNITED STATES.

| | Customs. | Current recp's. | Borrowed. | Total. | Current paym'ts. | Debt. | Total. |
|---|---|---|---|---|---|---|---|
| 1843 6 mos. | 7,046,843 | 8,065,325 | 12,479,708 | 20,545,033 | 11,221,985 | 338,013 | 11,559,998 |
| 1844 | 26,183,570 | 28,504,519 | 1,877,181 | 30,381,700 | 21,793,922 | 11,164,906 | 32,958,828 |
| 1845 | 27,528,112 | 29,769,133 | ..... | 29,769,133 | 22,380,575 | 7,587,632 | 29,968,207 |
| 1846 | 24,500,000 | 26,820,000 | ..... | 26,820,000 | 28.939,287 | 687,764 | 29,627,051 |
| Total..... | 85,258,525 | 93,158,977 | 14,356,889 | 107,515,866 | 84,335,769 | 19,778,315 | 104,114,084 |

In the first six months of the present tariff there was a deficit, and $12,479,-708, was borrowed for the use of the federal treasury. In 1844 and 1845 the revenues so far improved as to admit of the payment of a portion of the money previously borrowed. The expenditures of the year 1845 exceeded the revenues, notwithstanding that an improvement had taken place in the customs. One half of the year 1846 has elapsed, and the customs have again declined, so that, without paying anything towards the discharge of the existing debt of $17,075,445, there will be a deficit of $2,800,000 in the revenues. This result has been produced under the most favorable circumstances, for an enhanced consumption of foreign products by the American people. It is true, that two articles which yield a large revenue in England, tea and coffee, are here free; but the quantity of those articles taken into consumption has not increased here in so great a proportion as in England.

Annexed is a table showing the duty paid by each leading article of import; the value imported, and the ratio of duty.

VALUE OF DUTIABLE IMPORTS INTO THE UNITED STATES UNDER THE PRESENT TARIFF, SHOWING THE AMOUNT OF DUTIES PAID BY EACH ARTICLE.

| | duty. per cent. | 1843. value | 1843. duties | 1844. value. | 1844. duties. | 1845. value. | 1845. duties. |
|---|---|---|---|---|---|---|---|
| Cotton, dyed, und 30 cts. | 43.4.. | 1,321,590 | 570,567 | 5,968,529 | 2,573,981 | 5,182,401 | 2,252,492 |
| Woollens | 40.. | 1,398,064 | 559,225 | 5,049,474 | 2,019,789 | 5,638,167 | 2,164,740 |
| Linens | 25.. | 1,202,772 | 300,693 | 4,492,826 | 1,123,205 | 4,923,109 | 1,230,777 |
| Iron Ware | 30.. | 734,737 | 218,686 | 2,784,140 | 827,162 | 4,159,851 | 1,224,850 |
| Cotton, dyed, 30 cts. yd | 30.. | 417,728 | 125,318 | 2,925,690 | 807,707 | 3,390,145 | 1,017,043 |
| Woollens | 30.. | 578,085 | 173,425 | 2,657,800 | 796,470 | 2,867,326 | 860,197 |
| Cottons, bose threads | 30.. | 726,220 | 211,866 | 2,365,392 | 709,617 | 2,747,605 | 822,591 |
| Silk goods | 30.. | 760,750 | 288,225 | 1,159,902 | 347,970 | 2,493,176 | 744.999 |
| Cotton, white, and. 30 cts | 46.7.. | 302,529 | 149,834 | 1,202,910 | 544,305 | 1.441,660 | 675,745 |
| Earthenware | 30.. | 534,051 | 160,215 | 1,521,642 | 456,492 | 2,187,259 | 656,477 |
| Sundries | 20.. | 1,350.986 | 270,197 | 2,280,049 | 456,009 | 2,290,897 | 458,179 |
| Clothing | 40.. | 114,493 | 45,797 | 864,034 | 345,613 | 1,105 796 | 442,318 |
| Sundries | 30.. | 288,338 | 86,436 | 971,066 | 291,319 | 1,061,29. | 318,387 |
| " | 25.. | 419,769 | 104,942 | 1,092,661 | 273,165 | 1, 03,334 | 275,833 |
| Hats, Legborn | 35.. | 270,620 | 94 717 | 713,483 | 249,719 | 712,923 | 289,523 |
| Sundries | 5.. | 2,328,071 | 116,308 | 4,187,074 | 209,353 | 4,975,003 | 248,750 |
| Hatters' furs | 25.. | 87 709 | 21,925 | 519,893 | 129,973 | 465,739 | 116,434 |
| Watches | 7½. | 261,038 | 91,577 | 487.142 | 36,533 | 1,106,543 | 82,990 |
| Woo., under 7 cts | 5.. | 190,352 | 9.517 | 754,441 | 37,722 | 1,533,789 | 77,689 |
| " over 7 " | 30.. | 54,695 | 21 941 | 97,019 | 35,098 | 136,005 | 54,229 |
| Sundries | 2½. | 577,731 | 14,443 | 1,369,319 | 34,232 | 1.690,460 | 42,261 |
| Other ad valorem | | 2,764,454 | 651,822 | 8,850,805 | 2,143,014 | 8,978,583 | 2,191,893 |
| Total | | 16,684,875 | 4,153 686 | 52,315,291 | 14,449,348 | 60,191,862 | 16,278,117 |

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| | duty. | value | duties | value. | ties. | value. | duties. |
|---|---|---|---|---|---|---|---|
| Sugar, Brown | 2½ | 2,426,011 | 1,738,358 | 6,793,540 | 4,496,437 | 4,558,392 | 2,798,925 |
| Silks | 2.50 | 1,719,616 | 537.595 | 6,208,239 | 1,586,065 | 7,791,285 | 1,908,657 |
| Iron, bar, roll | 1.25 | 511,282 | 393,946 | 1,065,582 | 947,280 | 1,691,748 | 1,279,715 |
| Brandy | 1.00 | 106,267 | 191,832 | 606,333 | 782,510 | 819,540 | 1,081,314 |
| Molasses | 5 | 134,820 | 582,914 | 2,833,753 | 1,122,429 | 3,154,782 | 905,901 |
| Salt | 8 | 710,489 | 436,366 | 911,512 | 659,451 | 898,663 | 633,482 |
| Cotton, raw | 3 | 986,790 | 229,743 | 651, 326 | 326,682 | 646,966 | 397,198 |
| Cigars | 40 | 463,431 | 151,595 | 974,431 | 287,499 | 1,160,644 | 526,068 |
| Iron, bar | 85 | 327,550 | 106,318 | 583,065 | 200,983 | 872,157 | 309,000 |
| —— sheet | 2½ | 132,322 | 62,622 | 146,129 | 105,953 | 480,276 | 287,146 |
| —— pig | 45 | 48,251 | 34,857 | 200,522 | 134,496 | 506,291 | 247.594 |
| Raisins | 3 | 276,164 | 212,490 | 318,142 | 254,773 | 521,971 | 227.216 |
| Coal | 1.75 | 116,312 | 72,035 | 236,963 | 152,377 | 223,919 | 150.108 |
| Pimento | 5 | 47.441 | 52,720 | 46,765 | 43,499 | 164,690 | 141.637 |
| Gloves, women's | 1.00 | 115,533 | 31,392 | 583,065 | 200,983 | 516,127 | 133.430 |
| Silk, sewing | 2.00 | 196.709 | 78,278 | 496,745 | 199,846 | 431,632 | 164.392 |
| Sugar, loaf | 6 | 41,279 | 41,946 | 134,454 | 132,931 | 132,991 | 122.691 |
| Carpets, Brussels | 55 | 151,948 | 64,483 | 226,377 | 96,390 | 308,664 | 124.519 |
| Indigo | 5 | 432,035 | 24,003 | 1,145,067 | 69,585 | 826,700 | 56.562 |
| Hemp | 2.00 | 228,852 | 72,538 | 262,365 | 101,504 | 145,209 | 56.310 |
| Cordage, tarred | 5 | 96,570 | 19,050 | 68,349 | 56,226 | 67,209 | 55.741 |
| Boots, men's | 1.25 | 9,697 | 3,193 | 15,719 | 4,550 | 24,936 | 7.638 |
| Other specific | | 2,882,941 | 2,241,180 | 6,344,420 | 3,568,759 | 8,870,060 | 3.126.293 |
| Total | | 12.494,340 | 6,390,449 | 31,352,863 | 14,531,208 | 34,914,862 | 14.540.737 |
| " advalorem | | 16,684,875 | 4,153,686 | 52,315,191 | 14,449,348 | 60,191,862 | 16.278.117 |
| " free goods | | 13,254,249 | ..... | 18,936,452 | ..... | 18,047,598 | ..... |
| " specific | | 22,320,335 | ..... | 5,830,429 | ..... | 4,070,342 | ..... |
| " import | | 64,753,799 | 10,524,135 | 108,435,035 | 28,960,556 | 117,254,564 | 30-818.754 |

The duties average for each year as follows:

| | 1843. | | 1844. | | 1845. | |
|---|---|---|---|---|---|---|
| | Amount | Duty per cent. | Amount. | Duty per cent. | Amount. | Duty per cent. |
| Specific | 6,390,449 | 51.15 | 14,531,208 | 46.34 | 14,540,737 | 41.64 |
| Ad valorem | 4,153,686 | 24.89 | 14,449,348 | 27.62 | 16,278,117 | 27.04 |
| | 10,544,135 | 36.13 | 28,980,556 | 34.64 | 30,818,854 | 32.40 |

The decline in the rate per cent. of the specific duties amounts to near 10 per cent. or one fifth of the rate of 1843, and this has apparently grown out of the advance in the prices of articles paying that duty.

As a general result, however, the increase of revenue arose from an increased import of goods which pay the least duties, as, for instance, the unenumerated specific articles paid 70 per cent. in 1843, 50 per cent. in 1844, and 35 per cent. in 1845. It is also observable that the free goods declined in import in 1845. It is also to be remembered that the state of the currency exercises an influence the most powerful upon the amount of the imports. When the Banks of the United Sates are in a state of progressive expansion, and both importers and jobbers of imported goods obtain, with facility, not only the means of buying more freely, but of becoming more liberal in the credits they grant to dealers in the interior, prices advance and the imports increase, notwithstanding the high duty. In the tables accompanying the Treasurer's report the evidence is conclusive that imports have increased, paying the same duty, accompanied by a *rise* in the foreign cost.

As England has usually bought largely of our produce, she has uniformly had a large balance against her, as follows:

IMPORT FROM AND EXPORT TO ENGLAND.

| | 1842. | 1843. | 1844. | 1845. |
|---|---|---|---|---|
| Imports from | 26,613,043 | 28,978,588 | 45,459,129 | 49,903,725 |
| Export to | 52,306,650 | 46,901,835 | 61,721,876 | 61,044,535 |
| Excess Export | $13,693,607 | 17,923,253 | 16,262,754 | 11,140,810 |

These imports include specie, of which $14,000,000 was included in 28 millions imported from England in 1843. For the remainder England accepts and

pays bills on American account from all quarters of the world. In the face of this state of affairs she now has removed the duty on American farm produce, by which means her purchases from us may be doubled in a few years. By what means are these purchases to be paid for unless the products of English industry are taken in exchange? This brings us to the revision of the tariff as proposed by Mr. Walker. The principles on which he proposes to make that revision are as follows:

1st. That no more money should be collected than is necessary for the wants of the government economically administered.

2d. That no duty be imposed on any article above the lowest rate which will yield the largest amount of revenue.

3d. That below such rate, discrimination may be made, descending in the scale of duties; or, for imperative reasons, the article may be placed in the list of those free from all duty.

4th. That the maximum revenue duty should be imposed on luxuries.

5th. That all minimums, and all specific duties, should be abolished, and ad valorem duties substituted in their place—care being taken to guard against fraudulent invoices and under valuation, and to assess the duty upon the actual market value.

6th. That the duties should be so imposed as to operate as equally as possible throughout the Union, discriminating neither for nor against any class or section.

These are undoubtedly the only reasons for collecting revenue that will square either with common sense or the powers of the constitution. The theory of protection is obsolete, and if no evidence of the fact existed in the principles and practice of England, the mass of evidence collected in the report of Mr. Walker, from some two hundred witnesses, mostly manufacturers, embracing representatives from every state of the Union, would place it beyond doubt. The general principles evolved in the evidence are nearly as follows:

1. The tariff sustains manufactures at a level, equal to the amount of the tariff, higher than the same goods could be got without it.

2. The fictitious advance in price diminishes consumption of the goods.

3. Exports of produce are checked by an interdict on the return.

4. The great mass of general manufactures are in individual hands, and want no protection.

5. The cotton manufacture, as now conducted, is a monopoly in the hands of corporate companies with large capitals, defying the competition of individuals with small capitals.

6. The prosperity of the people depends on their industry and freedom, and not on taxes.

7. The provision trade is greatly injured by the salt duties.

8. The profits of farming are nothing under the tariff, while factory dividends are 10 to 30 per cent.

9. The *imaginary* benefits of the tariff, cause a great *waste of time, labor and capital, and impoverish the country, while a deceptive appearance of increased business is momentarily created by this expenditure.*

10. The farm produce of the U. States can compete with that of any other country in the English market, *if the returns are not taxed.*

These are some of the most obvious truths that become apparent from analysing the evidence of the protected manufactures.

All disinterested and commercial and agricultural persons, agree in their answers, that the tariff is highly injurious. The following reply of the Hon. Isaac Winslow, of Massachusetts, is full of meaning:

"Being principally a grazing country, cattle, hogs, sheep, butter and cheese are raised in great abundance in western Massachusetts, Vermont, New Hampshire and Maine—nearly all of which come to Boston market. The very low prices prevalent from 1837 to 1842, no doubt affected their profits very sensibly. Imputes the present low prices to the inability of the merchants to buy for exportation, because from the principal markets (West Indies, Newfoundland, &c.) the returns were subject to a *prohibitive duty.*"

This touches the interest of all classes. The farmer loses the sale of the surplus, and the whole production of the country is, therefore, depressed in price. The merchant loses the business, the ship-owner the freight, and laborers the employ. The whole circle of operations is paralysed, because a few corporate factories wish to be insured a monopoly of certain goods. The largest proportion of the material

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for wearing apparel consumed in the whole Union is made by individuals, because they cannot exchange their produce for its equivalent in goods. The whole supply is held in the hands of a few persons, and they dole it out as their interest dictates. England has now thrown her sea-ports open to western produce, and he must be a bold man, who, in the present advancing state of knowledge, will refuse to admit the returns of the sales of produce to England into the United States.

The notion that wages are improved by this system of manufacturing monopoly has been pretty thoroughly exploded. It is an undoubted fact, that never since the first loom moved in this country, have wages been so low as now for the amount of labor performed. It is known, that in factories there are two classes of hands, viz.: "week hands" and "job hands." In 1841 and 1842, the former generally received at the Lowell factories 75 cents to $2 per week each, exclusive of board. They now, after three years of protection receive 55 cents to $1 50, and do about one-third more work. The "job hands" received in 1840-41, for weaving a certain piece of coarse cotton, 11½ cents. For producing the same quantity of cloth now, they get 9¾ cents. For certain descriptions of finer goods, they got before the tariff, 16 cents, and for the same work now, they get 11 cents. When the wages were first cut down to these low points, the speed of the mills was reduced, and a girl who had been accustomed to tend *two* looms was required to tend *three*. Thus where six looms had employed three girls, they now required but two, and the third girl was discharged, a *walking* example of the *increased* employment for industry under the new tariff; as the girls became accustomed to this increased labor the speed was restored, and these girls turn out 50 per cent. more work each than formerly. Where the labor of a girl cost the factory 48 cents it now costs them 33 cents. It is by these means, that the corporate factory capitals extract from industry such large dividends.

We have in common with the public heard a great deal of the supplanting of British cottons in India and China by the American article. This appears to us to be an entire fallacy. The whole value of dyed and white cottons exported from the United States in 1845, was $2,859,347, and the amount has rather declined than otherwise since 1840, when it was $3,324,234, which at an average of 8 cents only would give 39,890,868 yards, and 34,312,000 yards for 1845, in addition to which is about 9,000,000 yards of nankeen. The English exports to India and China were, for 1845, 267,436,840 yards plain, and 28,618,511 yards dyed, against an export of 113,462,644 yards in 1841. If the English have increased their sales to that quarter 154 million yards, while the U. States have decreased theirs, what becomes of the assertion, that the U. States are getting the market? The fact is, that the United States factories, having the monopoly of the home market, seek only to guage the supply so as to support the prices here, and no more is sent out of the country than is sufficient for that purpose.

The United States have lost almost the entire West India, Mexican and South American trade for the want of warehouseing conveniences. To supply the wants of the South American markets, it is necessary that our ports should afford the greatest variety of all sorts of goods, foreign and domestic, on the *best* terms. In that case an assorted cargo could be made for any destination, and with that assortment, domestic cottons would find extensive sale. The warehouses of England, now, alone afford such a facility, and as a consequence, her cottons supply the trading voyages, and will continue to do so, even if those of the United States may be the cheapest. Because a vessel fitting out there will not send to the United States for a few cotton goods. If the United States wish to prosper as a trading nation, they must remove restrictions, and give to their commerce, at least, as many facilities as that of other nations enjoys. We have the great advantage of political freedom, and the absence of debt. Let us not then voluntarily assume burdens to our industry, and yokes to our commerce.

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# HORÆ SICILIANÆ.

BY SIGNOR SALVATORE ABBATE E MIGLIORE.

## THE FESTIVAL OF SANTA ROSALIA.

THE annual festival of St. Rosalia, the patron saint of Palermo, is probably the most magnificent display of civic and religious pageantry afforded by the world. It commences on the 11th of July, continuing five days; and, for a month preceding, the city of Palermo is wholly occupied in the preparations for it.

Palermo, the Sicilian capital, is by far the most regular city I have seen, and is built upon that plan which ought, I think, to be followed by all large cities. The two great streets, *Toledo* and *Macqueda*, intersect each other at right angles, in the centre of the city, where they form a handsome square, called the *Ottangolo*, which is adorned with elegant uniform buildings and fountains. From the centre of this square is seen the whole length of these noble streets, and the four great gates of the city terminating them, the symmetry and beauty of which produce a fine effect. The gates are at the distance of about a mile apart, and present elegant pieces of architecture, richly ornamented—particularly the *Porta Nuova* and the *Porta Felice*, at the opposite ends of the great street called the Toledo, which runs south-west and north-east. The other streets, in general, run parallel to these main ones, so that from every part of the city a few minutes' walk brings you into one of them.

The *Porta Felice*, by far the handsomest of the gates, opens to what is termed the *Foro Borbonico*, or the *Marina*, a delightful walk, which constitutes one of the chief enjoyments of the nobility of Palermo. It is bounded on one side by the wall of the city, and on the other by the sea, from which, even at this scorching season, it is always fanned by an agreeable breeze. In the centre of the *Marina*, there has lately been erected an elegant kind of open temple, with marble columns, which, during the summer months, is made use of as an orchestra for music; and, as in this season the inhabitants are obliged to convert the night into day, the concert does not begin till the clock strikes midnight, which is the signal for the symphony to strike up—the *Marina* being at that time covered with carriages, and strollers on foot. The usual hour for the termination of the concert and the dispersion of the company is about two o'clock. The luxury of the Palermian wealthy classes, like that of the French and English nations, is displayed in nothing more than in their equipages and horses. The carriages of the high nobility, (who are very numerous,) are driven in the city with six horses; and every family of distinction has at least three or four carriages in daily use; for no man of fashion is so impolite as to refuse his wife a chariot of her own, of which she has the entire command;—without this, the *Marina* could not subsist.

But in describing the locality, I am forgetting the festival of which it is annually the scene. The expense, time and labor devoted to the preparations for it, are scarcely credible. An astonishing number of arches and pyramids are erected for the illuminations. These are of wood, painted and adorned with artificial flowers; but being entirely covered over with small lamps, when seen at a little distance, they appear like so many pyramids and arches of flame. The whole of the Marina, and the two great streets that divide the city, are illuminated in this magnificent manner. The number of those pyramids and arches exceeds two thousand; and be-

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ing erected on each side of the street, between the side-walk and the pavement, and running in two straight lines exactly parallel from end to end, each of these lines is a mile in length—making four miles for the whole; while the four gates and the vistas to these four streets are highly decorated and illuminated. From the square in the centre of the city, the whole of this vast illumination can be seen at once, and its grandeur surpasses all belief. The whole of the *Marina* is dressed out in the same manner, and two great theatres are erected there for fire-works, the fronts of which are laid on piles driven in the sea, exactly opposite to the great orchestra in the centre of the *Marina*.

Close by the *Porta Felice*, they build an enormous engine, which is called St. Rosalia's triumphal car. From its size, it would be supposed to be intended forever to remain on the spot where it is erected, but it is to be drawn in procession through the city. It is, indeed, mounted on wheels, but it does not appear conceivable that any human force can ever cause them to revolve. The car is higher than most of the houses in Palermo. The excitement and pleasure mount higher and higher, meanwhile, every hour, in expectation of the singular exhibition for which the preparations thus day by day advance.

But the most remarkable feature in the whole, is the illumination of the cathedral. This is superior to anything in the world—the illumination of St. Peter's itself not excepted. The preparations for it are amazing. They begin about a month before, and will not be completed till towards the last days of the festival. The whole of the cathedral, both roof and walls, is entirely covered over with mirror, intermingled with gold and silver paper and an infinite variety of artificial flowers—all arranged and disposed with the highest taste and elegance. Every altar, chapel and column is furnished in the same manner, which takes off from the littleness of the particular ornaments, and gives an air of grandeur and uniformity to the whole. The roof is hung with innumerable lustres, filled with wax candles; and when the whole is lighted up, I am fully persuaded that it is equal to any palace, either in the Fairy Tales or the Arabian Nights' Entertainments. Indeed, it seems pretty much in the same style, too—for all is gold, silver, mirror and precious stones. The saints are dressed out in all their glory, and the Fairy Queen herself was never finer than is St. Rosalia.

St. Rosalia was niece to King William the Good. She began very early to display symptoms of her sanctity. At fifteen, she abandoned the world and all human society. She retired to the mountains on the west of Palermo, and was never more heard of for about five hundred years. It was in the year 1159 that she disappeared. The people thought she had been taken up to heaven, till, in the year 1624, during the prevalence of a dreadful plague, a holy man had a vision, that the saint's bones were in a cave near the top of the *Monte Pelegrino;* and that, if they were taken up with due reverence and carried in procession thrice round the walls of the city, they should immediately be delivered from the plague. At first, slight attention was paid to the holy man, and he was looked upon as little better than a dreamer; he persisted, however, in his story—grew importunate, and got adherents. The magistrates, to pacify them, sent to the *Monte Pelegrino*, when, lo! the mighty discovery was made! the sacred bones were found; the city was freed from the plague, and St. Rosalia became the greatest saint in the calendar. Churches were reared, altars were dedicated, and ministers appointed to this new divinity, whose dignity and consequence have ever since been supported at an incredible annual expense to the good city of Palermo.

About five in the afternoon of the 11th of July of each year, the festival begins by the triumphal procession of St. Rosalia, who is drawn with great pomp through the centre of the city, from the *Porta Felice* to the *Porta Nuova*. The triumphal car is preceded by a troop of horse, with trumpets and kettle-drums, and all the city officers in their gala uniforms. It is indeed a most enormous machine; it measures seventy feet long, thirty wide, and upwards of eighty high; and as it passes along, overtops the loftiest houses of Palermo. The form of its under part is like that of the Roman galleys, but it swells as it advances in height, and the front assumes an oval shape like an amphithea-

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tre, with seats placed in the theatrical manner. This is the great orchestra, which is filled with a numerous band of musicians placed in rows, one above the other. Over this orchestra and a little behind it, there is a large dome, supported by six Corinthian columns, and adorned with a number of figures of saints and angels, and on the summit of the dome there is a gigantic silver statue of St. Rosalia. The whole machine is dressed out with orange trees, flower-pots, and trees of artificial coral. The car stops every fifty or sixty yards, when the orchestra performs a piece of music, with songs in honor of the saint. It appears a moving castle, and completely fills the great street from side to side. This, indeed, is its greatest disadvantage, for the space it has to move in is in no wise proportioned to its size, and the houses seem to dwindle away to nothing as it passes along. This vast fabric is drawn by fifty-six huge oxen, in two rows, curiously caparisoned, and guided by twenty-eight shepherds, dressed in gold and silver stuffs. Every window and balcony on both sides of the street, are full of well-dressed people, and the car is followed by many thousands. The triumph is finished in about three hours, and is succeeded by the beautiful illumination of the *Marina*.

In this place there is a range of arches and pyramids extending from end to end of this noble walk: these are painted and adorned with artificial flowers, and are entirely covered with lamps placed so very thick, that at a little distance the whole appears like so many pyramids and arches of flame. The whole chain of this illumination is about a mile in length, and indeed it is scarcely possible to conceive of anything more splendid. There is no break or imperfection anywhere, the night being so still that not a single lamp is extinguished. Opposite to the centre of this great line of light, there is a magnificent pavilion erected for the Royal Court of the Two Sicilies and their company, which consists of the whole nobility of Palermo, and also all the distinguished foreigners invited expressly: and on the front of this, at some little distance in the sea, stand the great fire-works, representing the front of a palace, adorned with columns, arches, trophies, and every ornament of architecture. All the chebecks and other shipping are ranged around this palace, and form a kind of amphitheatre in the sea, inclosing it in the centre. These begin to show by a discharge of the whole of their artillery, the sound of which, re-echoed from the mountains, produces a very noble effect.—They then play off a variety of water-rockets and bombs of a curious construction, which often burst under water. This continues for half an hour, when in an instant, the whole of the palace is beautifully illuminated. This is the signal for the shipping to cease firing, and it appears indeed like a piece of enchantment, as it is done altogether instantaneously, and without the appearance of any agent; at the same time the fountains that are represented in the court before the palace, begin to spout up fire, and make a representation of some of the great *jet d'eaux* of Versailles. As soon as these are extinguished, the court assumes the form of a great parterre, adorned with a variety of palm trees of fire, interspersed with orange-trees, flower-pots, vases and other ornaments. On the extinguishing of these, the illumination of the palace is likewise extinguished, and the front of it breaks out into the appearance of a variety of suns, stars, and wheels of fire, which in a short time reduce it to a perfect ruin.—And when all appears ended, there finally bursts from the centre of the pile a vast explosion of two thousand rockets, bombs, serpents, squibs, and devils, which seems to fill the whole atmosphere; the fall of these make terrible havoc amongst the clothes of the poor people who are not under cover, but affords admirable entertainment to the nobility who are. During this exhibition, a handsome entertainment takes place, of coffee, ices and sweetmeats, in the great pavilion in the centre of the *Marina*: this is at the expense of the Prætor (or Mayor) of the city. The principal nobility give these entertainments by turns every night during the festival, and vie with each other in their magnificence.

As soon as the fire-works are finished, the Royal Court, the nobility, and the population, go to the public garden richly illuminated, called the *Villa Giulia*, at a little distance from the *Marina*. It is adorned with another large number of pyramids, arches, festoons, pictures in transparency, &c., and enlivened by several military bands of music; indeed

it makes one of the most beautiful objects that can be imagined, which shines round it like a flame and reflects its splendor on all sides.

The first day's entertainment is concluded by the *Corso*, which begins exactly at midnight, and lasts till three in the morning. The great street is illuminated in the same magnificent manner as the *Marina*. The arches and pyramids are erected at little distances from each other, on both sides of the street, betwixt the footpath and the space for carriages; and when seen from either of the gates, appears to be two continued lines of the brightest flame. Indeed, these illaminations are so very different, and so much superior to any I have ever seen, that I find it difficult to give any tolerable idea of them. Two lines of six hundred coaches occupy the space betwixt these two lines of illumination. They are in the greatest gala; and as they open from the middle, and lead down on each side, the beauty of the ladies, the richness of their dress, and brilliancy of their jewels, are displayed in the most advantageous manner. This beautiful train moves slowly round and round for the space of three hours; and every member of it seems animated with a desire to please. The company appear all joy and exultation. In such an assembly, it is impossible for the heart not to dilate and expand itself; I own, mine is often so full, that I could hardly find utterance; and I have seen a tragedy with less emotion than I do this scene of joy. I always think these affections are strangers to pomp and parade; but, here, the universal joy seems really to spring from the heart; it brightens up every countenance, and speaks affection and friendship from every face. No stately air, no supercilious look; all appear friends and equals. And sure I am, that the beauty of the ladies is not half so much heightened, either by their dress or their jewels, as by that air of complacency and good humor with which it is animated.

The second day's entertainments begin by the horse-races. There are three races, six horses starting in each: the great street is the course. The firing of a cannon at the *Porta Felice* is the signal for starting; and the horses seem to understand this, for they all set off at once, at full speed, (having no riders,) and continue at their utmost stretch to the *Porta Nuova*, which is the winning-post. It is exactly a mile, and they perform it in a minute and thirty-five seconds, which, considering the size of the horses, (scarce fourteen hands,) I think is very respectable. These are generally barbs, or a mixed breed betwixt the Sicilian and barb. The moment before starting, the street appears full of people. My surprise is increased, when I see the horses run full speed at the very thickest of this crowd, which does not begin to open till they are almost close upon it. The people then open, and fall back on each side, by a regular uniform motion, from one end of the street to the other. This singular manœuvre seems to be performed without any bustle or confusion, and the moment the horses are past, they close again behind them. However, it destroys great part of the pleasure of the race; for you cannot help being under apprehensions for such a number of people, whom you every moment see in imminent danger of being trod to death. The victorious horse is conducted along the street in triumph, with his prize displayed before him.

The great street is illuminated in the same manner as on the preceding night, and a grand *conversazione* of the nobility is held at the archbishop's palace, which is richly fitted up for the occasion. About ten o'clock the great triumphal car marches back again in procession to the *Porta Felice*. It is richly illuminated with large wax tapers and makes a most formidable figure, seeming almost for an enchanted castle, moving through the air. The nobility leave the archbishop's at midnight, when the *Corso* begins, which is precisely the same in every respect as the night before, and affords a delightful scene.

The third night of the festival is like the first, but in the afternoon, instead of the triumphal car, there are three races as above described.

The fourth day begins in the afternoon with four races, they being the last. At eleven o'clock the Lieutenant-General of Sicily, or the Royal Court, when it is present, attended by the whole suite, go to visit the great church. They make a prodigious train, for al-

though the city is all a lamp of light, the pages and footmen of the Royal Court and nobility attend with flax flambeaux to show them the way. As soon as the king and his train enter the church, the orchestras strike up a symphony, and continue playing till they leave it. The crowd in the church is very great. The whole temple is the most splendid scene in the world; it appears one flame of light, which reflected from ten thousand bright and shining reflectors, of different colors, and at different angles, produces an effect, which, I think, exceeds all the descriptions of enchantment I ever read. Indeed, I do not think that human art could have devised any thing so splendid. I believe I have already mentioned, that the whole church, walls, roof, pillars and pilasters are entirely covered over with mirror, interspersed with gold and silver paper, artificial flowers, &c., done up with great taste and elegance, so that not one inch, either of stone or plaster, is to be seen. I have often heard the illumination of St. Peter's spoken of as a wonderfully fine thing, and so indeed it is, but it is certainly no more to be compared to this, than the planet Venus is to the sun. The effects, indeed, are of a different kind, and cannot well be compared together. This scene is too glaring to endure any considerable time, and the heat occasioned by the immense number of lights, soon becomes intolerable. The number of lustres is upwards of five hundred, and that of wax tapers is not less than twenty thousand. There are eight-and-twenty altars, fourteen on each side; these are dressed out with the utmost magnificence; and the great altar is still the most splendid of all. When you think of the gaudy materials that compose the lining of the church, it will be difficult to attach an idea of grandeur and majesty to it; the elegant simplicity and unity of the design prevent, however, this effect, and gives an air of dignity to the whole. It is on this part of the show the people of Palermo value themselves the most; they talk of all the rest as trifling in comparison with this; and it is certain indeed that there is nothing of the kind in the world that is equal to it. It is strange they should choose to incur so enormous an expense and trouble for a show of a few hours only.

From the church, the people go immediately to the *Corso*, which concludes, as usual, the entertainments of the day.

The last day of the festival begins with the full illumination of all the streets. The assembly is held at the Prætor's, or Mayor's, where there is an elegant entertainment with the Royal Court. The grand procession, that closes the festival, begins at ten o'clock. It only differs from other processions in this, that besides all the priests, friars, and religious orders of the city, there are placed at equal distances from each other ten lofty machines made of wood and pasteboard, elegantly ornamented, representing temples, tabernacles, and a variety of beautiful pieces of architecture. These are furnished by the different convents and religious fraternities, who vie with each other in the richness and elegance of the work. Some of them are not less than sixty feet high. They are filled with figures of saints and of angels, made of wax, so natural and so admirably well painted, that many of them seem really to be alive. All these figures are prepared and dressed out in rich robes of gold and silver tissue. A great silver box, containing the bones of St. Rosalia, closes the procession. It is carried by thirty-six masons of the city. The archbishop and the senate walk behind it. The great square, before the Prætor's palace, and the fountain in the centre, one of the largest and finest in Europe, are converted into a great illumination, the whole being enlivened by two military bands of music.

At last there is a mutual and friendly interchange of congratulations through the whole assembly, which soon after disperses to repair to the *Corso*, and in the next morning every thing resumes its accustomed form and order. Every body is fatigued and exhausted by the incessant feasting, watching and dissipation of these five days.

Such is the annual festival of St. Rosalia at Palermo; a celebration little known to foreigners, yet unquestionably far superior in the splendor and pomp of its entertainments, to those of the Holy Week at Rome, the Ascension at Venice, or, indeed, any other festival I have ever had the fortune to witness or to read of.

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### THE CONVENT OF THE CAPUCHINS.

The celebrated Convent of the Capuchins, about a mile without the city of Palermo, contains nothing very remarkable but its burial-place, which is indeed a singular curiosity. This is a vast subterranean apartment divided into galleries, the walls on each side of which are hollowed into a variety of niches, as if intended for a great collection of statues. Instead of statues, these niches are filled with dead bodies, set upright on their legs and secured by the back to the inside of the niche. The number of these is not less than three thousand; and all being dressed in the clothes they usually wore, they form a most respectable and venerable assembly. The skin and muscles, by a certain preparation, become as dry and hard as a piece of stock-fish, and although many of them have been here upwards of two hundred and fifty years, yet none are reduced to skeletons: the muscles, indeed, in some, appear to be a good deal more shrunk than in others; probably because these persons had been more attenuated at the time of their death. Here the people of Palermo pay daily visits to their deceased friends, and recal with pleasure and regret the scenes of their past life; here they familiarize themselves with their future state, and choose the company they would wish to keep in the other world. It is a common thing to make choice of their niche: the bodies of the princes and first nobility are lodged in handsome chests or trunks, some of them richly adorned: these are not in the shape of coffins, but all of one width, and about a foot and a half or two feet deep. The keys are kept by the nearest relations of the family, who sometimes come and drop a tear over their departed friends.

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### LA BAGARIA.

There is a small country-place to the east of Palermo, called *La Bagaria*, nine miles distant, where the principal nobility have their country palaces. The palace of the Prince of Valguarnera is, I think, by far the finest and most beautiful of the houses of the Bagaria, which, for its singularity, certainly is not to be paralleled on the face of the earth; it belongs to the Prince of Palagonia, a man of immense fortune, who has devoted his whole life to the study of monsters and chimeras, greater and more ridiculous than ever entered into the imagination of the wildest writers of romance and kright-errantry.

The amazing crowd of statues that surround his house appear at a distance like a little army drawn up for its defence, but when you get amongst them and every one assumes his true likeness, you imagine you have got into the regions of delusion and enchantment; for of all that immense group, there is not one made to represent any object in nature. Nor is the absurdity of the wretched imagination that created them less astonishing than its wonderful fertility. It would require a volume to describe the whole, and a sad volume would it indeed make. He has put the heads of men to the bodies of every sort of animal, and the heads of every other animal to the bodies of men. Sometimes he makes a compound of five or six animals that have no sort of resemblance in nature. He puts the head of a lion to the neck of a goose, the body of a lizard, the legs of a goat, the tail of a fox. On the back of this monster he puts another, if possible still more hideous, with five or six heads, and a bush of horns that beats the beast in the Revelations all to nothing. The statues that adorn, or rather deform the great avenue, and surround the court of the palace amount to six hundred. The inside of this enchanted castle corresponds exactly with the outside. It is in every respect as whimsical and fantastical, and you cannot turn yourself to any side without being stared in the face by some hideous figure or other. Some of the apartments are spacious and magnificent, with high arched roofs, which, instead of plaster or stucco, are composed entirely of large mirrors, nicely joined together. The effect that these produce, (as each of them make a small angle with the other) is exactly that of a multiplying glass, so that when three or four people are walking below, there is always the appearance of three or four hundred walking above. The whole of the doors are likewise covered over with small pieces of mirror cut into the most ridiculous shapes, and intermixed with a great variety of crystal and glass of different colors. All the

chimney-pieces, windows and side-boards, are crowded with pyramids and pillars of tea-pots, candle-cups, bowls, cups, saucers, &c., strongly cemented together; some of these columns are not without their beauty: one of them has a large china utensil for its base, and a circle of pretty little flower-pots for its capital; the shaft of the column, upwards of four feet long, is composed entirely of tea-pots of different sizes, diminished gradually from the base to the capital. The profusion of china that has been employed in forming these columns is incredible. There are probably not less than forty pillars and pyramids formed in this strange fantastic manner. Most of the rooms are paved with fine marble tables of different colors, that look like so many tomb-stones. Some of these are richly wrought with lapis-lazuli, porphyry, and other valuable stones. These are made of the finest tortoise-shell, mixed with mother-of-pearl, ivory, and a variety of metals, and are mounted on fine stands of solid brass. The windows of this enchanted castle are composed of a variety of glass of every different color, mixed without any sort of order or regularity—blue, red, green, yellow, purple, violet; so that, at each window, you may have the heavens and earth of whatever color you choose, only by looking through the pane that pleases you. The bed-chamber and dressing-room are like two apartments in Noah's ark; there is scarce a beast, however vile, that he has not placed there—toads, frogs, serpents, lizards, scorpions—all cut out in marble of their respective colors. There are a good many busts, too, that are not less singularly imagined. Some of these make a very handsome profile on one side; turn to the other, and you have a skeleton; here you see a nurse with a child in her arms; its back is exactly that of an infant; its face is that of a wrinkled old woman of ninety. The family statues are perhaps the greatest curiosity of all; they have been done from some old pictures, and make a most venerable appearance; he has dressed them out from head to foot in new and elegant suits of marble, and, indeed, the effect it produces is more ridiculous than anything that can be conceived. Their shoes are all of black marble, their stockings generally of red; their clothes are of different colors—blue, green and variegated, with a rich lace of giallo-antico. The periwigs of the men and head-dresses of the ladies are of fine white; so are their shirts, with long flowing ruffles of alabaster. The walls of the house are covered with some fine basso-relievos of white marble, in good taste, the only things which are so, in a palace of astonishing splendor, but which well merits the name of the Palace of the Grotesque and Hideous.

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### THE SIGNORA CROZZA DI MORTO.*

Qual' e il piu bel colore
Sul volto feminil? Quel del pudore.
—O tu che hai scorse tante dotte carte,
Qual' e l'arte d'amar? L'amar senz' arte.

A whimsical and singular circumstance occurred about eighteen months ago in Palermo, which cast into the shade the budget, the aristocracy and the press. For the allotted "nine days" due to every new wonder, the whole city talked of nothing but the Signora Crozza di Morto. She is a lady of twenty years of age, her person beautiful and exquisitely proportioned, her complexion white and pure as snow, and her voice soft as a siren's. She is distinguished alike by genius and accomplishment. She plays on the pianoforte like De Meyer, sings like Mademoiselle Delcy, and dances like Mademoiselle Augusta. Her fortune, moreover, is $300,000 a year—an excellent heart, and a spotless fame. But as a fatal ill-chance would have it—(such was the story which speedily spread through Palermo on the arrival of the fair and eccentric stranger, who was the only daughter of wealthy Russian parents, though born in France)—her mother, about twenty years ago, saw a display of the Phantasmagoria, and was so strongly struck with one horrible spectre in particular, that after eight months she was delivered of a child who would have been beautiful as an angel, if she had not been born with the strange but horrible deformity of *a skeleton hand and a face like that of a skull.*

* *Crozza di Morto* signifies a *Death's Head.*

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The sensation awakened by so extraordinary a case, and so extraordinary a person, among the lively Sicilians, may be imagined. The lady was known to be the perfection of all loveliness in every respect but these two fatal particulars. She was reputed, also, to be of a wayward and very original character, very fearless and independent, and now the sole mistress of her own liberty and of her enormous fortune. She wore her face covered with a mask and veil, and the fearful skeleton hand carefully gloved.

It was not long before, in spite of these rumored but unseen deformities, her wealth, singularity and other charms, attracted many a suitor to her mysterious but golden shrine—especially gentlemen of small fortune and high nobility, whom the $300,000 a year could have reconciled to the embraces of the eldest daughter of Lucifer himself;—but they had all a fearful trial to undergo before the coveted prize was to be won. The Venus with the face of a skull—the *Crozza di Morto*—receives at home all her lovers, her face covered with the perpetual mask and veil. She sings, dances, enchants, transports, and when ecstacy is at its height, she suddenly lays aside her glove, and reveals first the spectacle of the scarified hand, the hand of a skeleton! Some fashionable lovers have been known to endure this horrible spectacle with an unflinching courage; but when this wonderful creature, who appeared sometimes almost to derive a strange gratification from the exercise of this dreadful power to appal and repulse, went a step farther, and raised her veil and took off her mask, no one had yet been found with nerves equal to the fearful trial. Fortune, genius, wit, grace, goodness, loveliness of form, mind and heart, were all hastily and shudderingly resigned, rather than encounter the hideous fate of a life-union with that hand and head of Death! Intrepid soldiers who had dared the dread King of Terrors many a time when appearing in his own grimmest form, shrank back appalled, as well they might, from before his sickening features, when thus revealed in monstrous combination with all the other possible charms of maiden youth and loveliness.

At last the lady met with a lover whose passion she herself could, and did return; a lover who would have been worthy indeed of her, even had not the perfection of her graces, of both mind and person, been marred by the fatal defects I have described. Generous, noble, accomplished and intellectual, after visiting her from the curiosity with which all Palermo was possessed, the mysterious interest attaching to her—compassion for so unhappy a curse, resting on the unoffending head of one so matchless in every other charm—and delight in the singular powers of mind and the admirable qualities of heart she displayed, soon converted the slight degree of curiosity with which he came into a true, fervent and exalted passion. For the first time, the lady felt herself loved as she would be, for the first time reciprocated it with a still more lavish wealth of affection, and for the first time dreaded herself the effect of the fatal ordeal to which the attachment of those who sought her hand was to be subjected. Nevertheless, she did not attempt to soften the picture of the spectacle which she told him he would have to behold, even while she confessed her own dread of the effect it would produce upon his affection. But he answered, that he loved her heart, and not her person, and that no reality could exceed what he had already pictured to himself, and to which his heart had already fully reconciled his imagination. Fully satisfied, at last, of the sincerity and devotion of his love—a love the more highly to be prized from the nature of the qualities upon which it was bestowed, she consented to the bridal, though she said, that she would not endanger its completion by revealing to him the fatal secret of her face until after he should have become irrevocably her husband. He might then see all, even though he should on the instant fly from her in horror and disgust. She would, at least, have once been his wife; and should, at least, have acquired the title, both to the happiness of bearing his name, and to that of bestowing upon him a large share of that wealth, the fatal possession of which had attracted so many suitors unworthy of it and of her. In a word, the marriage contract was signed, the lady insisting on bestowing upon her reluctant husband half of her enormous estates.

"When ever you will no longer suf-

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fer me," she said, "to be your wife, I shall have, in the death to which that sentence will doom me, the comfort of having made happy with riches the only man I have loved, or could love, and he will, at least, repay me with a few tears to my memory."

The nuptial day at last arrives. This singular ceremony is completed, in the midst of an extraordinary magnificence and splendor. The fatal veil which hid the mysterious face of the *Crozza di Morto*, glistens with diamonds. The parties return from the church, and the husband kneels before his wife, to encounter that dread ordeal which none have before encountered and proved equal to endure. She raises her hand to unclasp the fastening of her mask. What an instant for the trembling husband, whose heart almost ceases to beat, and whose countenance becomes stamped with a deadly paleness, as if already in reflection of that which he is about to behold! The mask at last falls—and one instantaneous glance suffices to reveal to him the whole mystery of the *Crozza di Morto*. Through tears of happiness, it is a face of almost angelic beauty that is smiling upon him!

The truth was, that this singular and eccentric creature had carried out the caprice of wearing *two* masks, the under one representing indeed a skull—her object being to protect herself from the arts of those unworthy suitors, whose attraction would be her enormous wealth alone, and to make choice of one who should love her as she would be beloved, for her mind and heart alone. She had also had made a glove for one hand, curiously fashioned to resemble the hand of a skeleton. With these she had effectually frightened off all those upon whom. with her quick powers of discernment of character, she had herself no disposition to bestow that hand. She had come to Palermo from Naples, having come originally from France, where, as I have before said, she was born of Russian parents. This curious history of the *Crozza di Morto*, or "Death's Head," has already moved the genius of all the authors of Sicily, besides having served as a theme for the celebrated poets of some of the large Italian theatres.

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## MONTHLY FINANCIAL AND COMMERCIAL ARTICLE.

The uncertainty of political affairs has added much to the dulness which usually, at this season of the year, pervades commercial and financial matters. The extraordinary and ruinous effect upon the solvency of existing paper, which anything like an approach to hostilities between nations, always produces in the commercial world, would be greatly heightened, at this time, in the case of the United States, should such an event be possible. This consideration is of itself sufficient to cause a pause in the general movement of capital; and would do so, were the currency on a perfectly sound basis. It is not to be disguised, however, that the power of England over the affairs of this continent is, perhaps, greater through financial than military means. The credit of the United States, by the failure of many of the states in 1840, was not only shaken, but so entirely destroyed, that a few million dollars could not be borrowed in Europe on any terms, on the credit of the Federal Government: a government which, having paid up in the first 60 years of its existence, the expenses of two wars, and the purchase of an "Empire," amounting, principal and interest, to $450,000,000; was entirely out of debt, and had the resources of 17,000,000 of active and prosperous Anglo-Saxons at its command. That government could not raise a dollar on its credit, in time of profound peace at home or abroad. This arose, not only from the discredit which grew out of repudiation, but from the co-operation of the enemies of republican institutions. Aristocrats and monarchists did not fail to seize upon such circumstances to hold up republican institutions to contempt, and to indulge in the hope that boasting discredit might be the means of disaster, in case of hostilities. Up to this moment, that discredit does continue to a considerable extent; or we might rather say, that confidence has returned only in a very insignificant degree. Some small amounts of United States' stock have, indeed, been retailed in London; but the actual taking of an American loan has not, as yet, nor would it readily occur, for some time to come. Indeed, even among our own capitalists it is very difficult to reburnish the tarnished escutcheons of some of the western states. As an instance, Indiana has passed a law, during the last session of her legislature, by which she agrees to pay a tax of 75 cents per rateable poll, and 75 cents per $100 of valuation, and appropriate it towards the discharge of the interest on a portion of her public debt; on condition that the creditors subscribe $2,250,000, to complete the Wabash and Erie canal, and look solely to that work, and its lands, for reimbursement, not only for the new loan, but for half of the old debt. Notwithstanding this favorable movement, the bonds have not improved in market value; partly owing to fears of hostilities; but, to a very considerable extent, to fears of the misappropriation by Indiana of the proceeds of the tax, as she did the revenues of the Wabash canal, solemnly pledged to the payment of the state interest. If this feeling exists at all on this side the Atlantic, in how much greater degree would it influence the views of capitalists abroad, in time of difficulties: which, if they occur, will grow out of the increasing desire to check the spread of the republican power on this continent. The French king has, it is well known, been actively employed, personally, in "electioneering," if it may be so expressed, among the powers of Europe, against the United States, in the matter of the Oregon. The influence of powerful political interests, added to the existing discredit, will prove fatal to any attempts to borrow abroad. There is, within the country, almost exhaustless resources, and the government would have no difficulty in its financial arrangements, if the monetary system was proof against the exigencies of a state of warfare. Unfortunately, however, one of the most serious consequences of a rupture, would be the complete prostration of our banking system, amid the ruins of which the government would find it

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difficult to procure either loans or taxes. This power of the English government exists now to a far greater extent than it did in the last war, when it was exerted with an almost fatal effect, for the reason, that the number of banks is now far greater, and the extent of outstanding credits very much larger in proportion to the business of the country, or the amount of specie held by the banks, than they were then. Just previous to the last war, the old National Bank went into liquidation, and a large portion of its capital was remitted abroad. There were then in operation 88 banks, with a capital of $42,610,601; a circulation of $28,100,000, and specie in hand $15,400,000. During the first year of the war, all the banks south of New-England failed. The banks of that section, where the war was unpopular, and was vehemently opposed, sustained themselves by grasping for specie, and reposing loans to the federal government. The amount borrowed by the government during the war, was $41,000,000, and was subscribed in the following proportions:

| | |
|---|---|
| Eastern States, | $2,900,000 |
| New-York, Pemsylvania, Maryland, and Dis. Columbia, | 35,790,000 |
| Southern and Western, | 2,320,000 |
| Total, | $41,010,000 |

These large advances by New-York, Philadelphia, and Baltimore, throw heavy balances against those cities in favor of the east; and the specie in the vaults of the Massachusetts banks, was as follows:

| | | | |
|---|---|---|---|
| June 1, 1811, | 1,709,000, | June 1, 1814, | 7,326,000, |
| " 1, 1812, | 3,915,000, | " 1815, | 3,915,000, |
| " 1, 1813, | 6,171,000, | " 1816, | 1,270,000. |

The Massachusetts banks drew near $6,000,000 from the rest of the Union, embarrassing the government to a fearful extent. So much so, that it was obliged to issue 6 per cent. stock at 80, and take pay in treasury notes. The depreciation of the currency ranged from 5 to 20 per cent. Nor was the conduct of the Massachusetts banks the only source of evil; it only came in aid of the policy of the enemy, which is described in the following extract from the address of the directors of the Philadelphia banks, to the citizens, August 30, 1813.

"From the moment when the rigorous blockade of the ports of the United States prevented the exportation of our produce, foreign supplies could be paid for only in specie; and as the importation of foreign goods in the eastern states has been large, it has, for many months past, occasioned a continual drain from the banks; *this drain has been much increased by a trade in British government bills of exchange, which has been extensively carried on, and has caused very large sums to be exported from the United States.*"

The Secretary of the Treasury in the report for the same year, in alluding to the extreme difficulty of procuring loans, remarks as follows:

"The present state of our country, growing out of the unjust policy of the enemy, as well as the *unusual manner in which he prosecutes the war*, calls for new and extraordinary exertions on the part of the nation," &c.

The policy of the enemy was, as well to afflict the United States as to provide for his own wants in Canada; to sell bills drawn on the imperial government for *specie*, by which means the country became speedily exhausted of coin, and extraordinary disasters resulted, notwithstanding that the amount of outstanding credits, at the time that movement was commenced, was not large, in proportion to the amount of specie on which they were based. Those outstanding credits are now fearfully great; and in order to observe in how much weaker a position the Massachusetts banks now are, than when the last war took place, we will compare the leading items.

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MASSACHUSETTS BANKS.

| | Capital. | Loans. | Specie. | Circulation. | Deposites. |
|---|---|---|---|---|---|
| 1811 | 6,685,000 | 10,102,574 | 1,513,000 | 2,355,571 | 3,385,721 |
| 1812 | 7,960,000 | 10,258,705 | 3,681,696 | 2,162,358 | 4,735,526 |
| 1845 | 30,970,000 | 52,648,729 | 3,357,904 | 14,339,686 | 11,668,134 |

The specie held by those banks now, is less in amount than in the first year of the last war; and the cash liabilities are, $26,007,820, against $6,897,884. That is to say, the specie was then one to two of liabilities: and is now one to eight. Nor is Massachusetts alone in this extended position. The following is a table of the leading banks that have made returns, on or about January, in fifteen states, embracing 412 specie paying banks; as follows:

COMPARATIVE LEADING FEATURES OF FOUR HUNDRED AND TWELVE BANKS OF THE UNITED STATES AT THE CLOSE OF EACH OF TWO YEARS.

| | 1845. | | 1846. | |
|---|---|---|---|---|
| | Loans. | Specie. | Loans. | Specie. |
| Massachusetts | 48,770,975 | 4,587,140 | 52,648,729 | 3,367,904 |
| New-Hampshire | 2,277,631 | 115,334 | 2,365,325 | 118,018 |
| Maine | 4,785,314 | 192,414 | 5,014,200 | 205,588 |
| New-York | 73,091,796 | 8,968,092 | 74,780,435 | 8,884,545 |
| Maryland | 9,677,773 | 1,885,336 | 20,143,299 | 1,861,500 |
| Virginia | 12,623,508 | 2,126,497 | 13,957,411 | 2,016,044 |
| North Carolina | 2,297.428 | 576,474 | 2,464,874 | 653,855 |
| South Carolina | 5,831,508 | 1,032,728 | 6,364,479 | 871,514 |
| New-Orleans | 3,108,450 | 8,138,987 | 4,482,232 | 6,162,080 |
| Indiana | 2,008,162 | 1,120,013 | 3,027,615 | 1,079,306 |
| Missouri | 1,508,062 | 1,973,441 | 2,711,608 | 1,453,614 |
| Kentucky | 4,446,515 | 1,282,814 | 4,944,062 | 1,275.308 |
| Tennessee | 3,403,266 | 712,073 | 3,561,542 | 709.672 |
| Pennsylvania | 23,347,426 | 5,986,225 | 27,102,507 | 5,802.230 |
| New-Jersey | 5,133,445 | 531,758 | 5,697,715 | 570,683 |
| Total, | 202,311,259 | 39,229,356 | 229,286,033 | 35,061,861 |

| | Circulation. | Deposites. | Circulation. | Deposites. |
|---|---|---|---|---|
| Massachusetts | 12,183,158 | 12,234,304 | 14,339,686 | 11,668,135 |
| New-Hampshire | 372,064 | 984,233 | 352,534 | 1,031,508 |
| Maine | 1,980,538 | 1,116,961 | 2,216,380 | 1,304.401 |
| New-York | 20,152,219 | 30,391,622 | 21,625,239 | 31,773,996 |
| Maryland | 1 856,641 | 3,167,180 | 2,159,140 | 3,113,650 |
| Virginia | 5,555.924 | 2,800,008 | 5,590,645 | 3,004,708 |
| North Carolina | 1,118,693 | 295,246 | 1,324,413 | 265,427 |
| South Carolina | 1,936,870 | 1,459,095 | 2,264,582 | 1,767,110 |
| New-Orleans | 2,082,130 | 6,589,059 | 2,556,895 | 6,223,915 |
| Indiana | 3,101,000 | 392,744 | 3,527,351 | 359,268 |
| Missouri | 1,355,970 | 1,376,452 | 2,195,840 | 1,295,508 |
| Kentucky | 2,194,344 | 673,314 | 2,586,672 | 733,165 |
| Tennessee | 1,018,741 | 294,657 | 1,293,247 | 204,404 |
| Pennsylvania | 8,375,495 | 12,269,288 | 10,107,188 | 13,748,341 |
| New-Jersey | 1,986,138 | 1,441,516 | 2,387,342 | 1,818,353 |
| | 65,269,925 | 75,485,679 | 74,527,154 | 78,311,889 |

These returns, in the aggregate, compare as follows:

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| | Loans. | Specie. | Circulation. | Deposits. |
|---|---|---|---|---|
| 1845 | 202,311,259 | 39,229,356 | 65,269,925 | 75,485,679 |
| 1846 | 229,286,033 | 35,061,861 | 74,527,154 | 78,311,889 |
| Decrease, | | 4,167,495 | | |
| Increase, | 26,974,774 | | 9,257,229 | 2,826,210 |

The result is, a great decrease in specie, with a general increase in outstanding credits. This is a great expansion, and was kept in check only by the indisposition to extend mercantile enterprise, in the face of an approaching reduction in the tariff, and political uneasiness. In our January number we gave the value of the imports and exports of the United States for the fiscal year, ending June, 1845, as compared with previous years. Showing, that as compared with the year 1844, the exports of produce and goods had not increased in value, while the imports of goods had been enhanced some $14,000,000, the two first quarters of the fiscal year 1846, ending December 31, 1845, show an important decrease in business from the same period of the previous year. Had not the impending action of Congress checked the import trade, a renewed impulse would have been given to the export of specie; and the overwrought credits of the banks have already experienced a revulsion. As the banks now stand, it is very apparent that they are not in a position to encounter any hostile movement in financial matters, on the part of Great Britain. The expenses of the North American provinces, in time of peace, exceed the revenues; and drafts are annually made on the imperial government to meet the deficit. In case of hostilities the armaments on the northern frontier would be on a gigantic scale. The whole wealth and strength of the empire would be concentrated for the retention of those provinces; and the outlay of money, in the provinces, would necessarily be immense there, as well as for preparations in the West Indies. These enormous expenses would be provided for in the same manner in which, on a much smaller scale, they were met in the last war; viz., by extensive sales of government bills for specie, at low rates. By these means, a large portion of the 35 millions of specie, now held by the above-mentioned 412 banks, would be transferred to the military chests of Canada; and the more readily, that about three-fourths of it is foreign coin. This operation has the twofold benefit of supplying the Canadian forces with the indispensable article of gold; and also of severely crippling the movements of the United States government, and of adding to the burdens and horrors of war, the insolvency and ruin of all mercantile men in the Union. The currency is now in a state nearly as inflated as when, in 1839, it broke down and ruined thousands, who sought and obtained relief only in a general bankrupt act. In that year the late National Bank failed; and, when sinking into bankruptcy, it strove, with all its dying energy, to break the banks of New-York, in order to cover up, in the general insolvency, its own rottenness. The attempt was made by large and reckless sales of foreign bills, drawn on credits, to procure, in payment, the liabilities of the New-York banks; and, instantly and rigorously, demanding specie in payment. The low state of the credit of the United States bank abroad, and the preceding prudent conduct of the New-York banks, alone averted a general suspension; in the chaos of which, the old bank would have again become the depository of the federal government. In fact, the final failure and liquidation of the bank in January, 1841, alone prevented it from being restored, as the fiscal agent of the new government, which came into office in March, 1841. The principle on which the bank acted, in that attempt to break the New-York institutions, is precisely the same as that on which its power of regulation is supposed to be founded. That is to say, where the mother bank, or its branches, were located, they became the medium for nearly all the collection business of that point; as for instance, the branch in New-York received all the government revenues, and nearly all the internal exchanges passed through it. The notes that were due the merchants of New-York were deposited there, and were sent, through other branches, to all parts of the Union for collection; and in return, all the paper due in New-York, to all parts of the union, was sent from the other branches for collection.

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to the bank in New-York; all these notes, added to the government revenues, were paid to the United States Bank, in the liabilities of all the other banks of the city of New-York; and as a consequence, it was always a creditor-bank to a very considerable extent. If, for any length of time, it continued to demand specie from the others, for the balances thus created, it would soon draw all to itself, and the others would break. While it was itself in a sound and healthy state, it was never to its interest to do this; on the contrary, its interest was to produce constant fluctuations. Now it would relax its demands, and the progressive movement of the other institutions would make money plenty and cheap. By a little rigor of action it could then check their movement, and force money and exchange up to extravagant rates, of which it availed itself, and without which it could not have maintained its uniform 8 per cent. dividends—a pressure and rise in the rate of interest was all that it wished to produce. In 1839, however, its object was to force a general suspension; and well was it for the public weal that, on that occasion, it no longer exercised the power of a government bank. It had only the ordinary business of a state bank, and could not legitimately obtain the credits of the New-York institutions. It had, therefore, recourse to the illegitimate sale of large amounts of fictitious foreign bills, which bills were protested for non-payment. Had its credit been stronger it would have effected its object. Now, as far as the exercise of this power goes, the English government in Canada stands to our financial interests in a more formidable position than ever could the late National Bank; because a limitless amount of bills may be drawn on the imperial government, and sold for specie, without regard to price, to carry out a political object. This power exists only in consequence, and through the instrumentality of our paper system. In time of peace it is by no means to the interest of England to disturb the currency; on the other hand, a full paper currency, cheaper than her own, is a powerful means of selling her goods, and keeping exchanges in her favor. Such is now the condition of our banking movement, as seen in the above table; and, if undisturbed by political apprehensions, a large and unhealthy consumption of English goods would result. The following table of the imports of four leading articles, imported into the United States, two free of duty, and two paying high duties, is indicative of the influence of currency upon imports generally.

IMPORT OF SUGAR, MOLASSES, TEA, AND COFFEE, INTO THE UNITED STATES, WITH THE POPULATION AT DIFFERENT PERIODS.

| Years. | Population. | Sugar. Quantity. | Duty. | Molasses. | Duty. | Coffee, | Duty. | Tea. | Duty. |
|---|---|---|---|---|---|---|---|---|---|
| | | lbs. | lb. | galls. | gall. | lbs. | lb. | lbs. | lb. |
| 1821. | 9,654,596. | 59,512,835 | 3 cts. | 9,086,982 | 5 cts. | 21,273,659 | 5 cts. | 4,975,646 | 12a50c |
| 1822 | ..... | 38,305,670 | .... | 11,990,569 | .... | 25,782,890 | .... | 6,639,434 | ..... |
| 1823 | ..... | 60,789,210 | .... | 13.019,328 | .... | 37,337,732 | .... | 8,210,010 | ..... |
| 1824 | ..... | 94,379,764 | .... | 13,117,724 | .... | 30.224,396 | .... | 8,920,487 | ..... |
| 1825 | ..... | 71,771,479 | .... | 12,535,062 | .... | 45,190,630 | .... | 10,209,548 | ..... |
| 1826 | ..... | 84,902,955 | .... | 13,843,045 | .... | 37,319,497 | .... | 10,108,900 | ..... |
| 1827 | ..... | 76,701,629 | .... | 13,376,502 | .... | 50,051,986 | .... | 5,875,638 | ..... |
| 1828 | ..... | 56,935,951 | .... | 13,393,651 | 10 | 55,194,697 | .... | 7,707,427 | ..... |
| 1829 | ..... | 63,307.294 | .... | 10,150,224 | .... | 51,133,538 | .... | 6,636,790 | ..... |
| 1830. | 12,866,020. | 86,483,046 | .... | 8,374,139 | 5 | 51,488,248 | 2 | 8,609,415 | 10 a 40 |
| 1831 | ..... | 109,014,654 | .... | 17,085,878 | .... | 81,757,386 | 1 | 5,182,867 | ..... |
| 1832 | ..... | 66,452,280 | 2½ | 15,860,553 | .... | 91,722,329 | free. | 9,906,606 | free. |
| 1833 | ..... | 97,688,132 | | 15,693,050 | | 99,955,020 | .... | 14,639,822 | ..... |
| 1834 | ..... | 115,389,855 | | 17,086,472 | | 80,150,366 | .... | 16,282,977 | ..... |
| 1835. | 14,837,105. | 126,036,239 | | 18,971,603 | | 103,199,777 | .... | 14,415,572 | ..... |
| 1836 | ..... | 191,426,115 | | 18,051,784 | | 93,790,507 | .... | 16,382,977 | ..... |
| 1837 | ..... | 136,133,819 | | 16,451,182 | | 88,140,403 | .... | 16,982,114 | ..... |
| 1838 | ..... | 153,879,143 | | 21,196,411 | | 88,139,720 | .... | 14,418,112 | ..... |
| 1839 | ..... | 195,231,273 | | 23,094,677 | | 106,696,992 | .... | 9,349,817 | ..... |
| 1840. | 17,063,353. | 120,939,585 | | 19,703,620 | | 94,996,095 | .... | 20,006,595 | ..... |
| 1841. | 17,397,996. | 184,264,881 | | 19,355,028 | | 114,984,783 | .... | 11,560,301 | ..... |
| 1842. | 17,988,998. | 173,863,555 | | 17,834,927 | | 112,865,927 | .... | 15,692,094 | ..... |
| 1843. | 18,580,000. | 71,335,131 | 2½ | 11,775,138 | 5 | 92,914,557 | .... | 13,869,366 | ..... |
| 1844. | 19.109,954. | 186,804,578 | .... | 22,675,333 | .... | 160,461,943 | .... | 15,656,114 | ..... |
| 1845. | 19,639,919. | 117,666,544 | .... | 18,301,033 | .... | 107,860,911 | .... | 19,630,045 | ..... |

In 1833, the compromise tariff came into operation, and continued its biennial reductions down to 1832. In 1832, tea and coffee were made free of duty. The consumption of molasses, it appears, is very nearly the same per head in 1845 as in 1821. The quantity imported has doubled, as has also the population. Sugar has increased in a greater ratio; but 1845, being a year of short crops in Cuba, the imports were small and the price high. Tea has been free of duty since 1832; but its consumption is not greater per head than when it paid a duty. The import of coffee in 1830 was about 4 lbs. per head, in 1845 it was 5½ lbs. per head; or the average of the last three years was 6¼ lbs. per head, against 4 lbs. per head when it paid duty, showing an increase of actual consumption of 50 per cent. This increase in the consumption of coffee involved an increase in the consumption of sugar; and the quantity taken of both would have been much larger, had the duty on the latter been less—one is a necessary accompaniment of the other. It is observable, that the import of both free and dutiable articles fluctuates greatly with the state of the currency. 1839 was a year of great expansion on the part of the banks, and the weight of the three articles, omitting molasses, imported in that year, was 321,938,860 lbs., or about 19 lbs. per head; and in the next year of revulsion, the duties on sugar being the same, 227,495,981 lbs., or about 13 lbs. per head, only a decline of 33 per cent. The same influence produced a great falling off in the demand for British goods, and not only paralyzed the markets for sales, but prevented the collection of prior debts. Thus, our paper system is the instrument of English prosperity in time of peace, and the effective instrument of their wrath in time of war. Happily, affairs are taking a turn which will soon remove fears of a rupture from the market; but will not do away with the duty of the government to prepare both for peace and war, by effectually separating the funds of the government from a system so fraught with danger.

It is also matter of high importance that a permanent policy should be speedily adopted; one that will assure not only our own commercial and manufacturing interests of a cessation of commercial legislation, but also the commercial world, that henceforth there will be no more violent fluctuations in the monetary or commercial systems of the Union; and that into whatever channel capital or enterprise is hereafter directed, it will not be interfered with by governmental enactments.

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## NOTICES OF NEW BOOKS.

WILEY & PUTNAM'S LIBRARY OF CHOICE READING; *Stories from the Italian Poets:* being a summary in prose from the poems of Dante, Pulci, Boiardo, Ariosto and Tasso; with comments throughout, occasional passages versified, and critical notices of the lives and genius of the authors. By LEIGH HUNT. 16mo.

*The Cricket on the Hearth;* a fairy tale of home. By CHARLES DICKENS. 16mo. 25 cts.

*The Poetical Works of John Keats.* 16mo.

Wiley and Putnam's Library, of the latest volumes of which we have just given the titles, has reached its sixtieth number, and all within the period of one year—a memorable example of perseverance and success in a good cause. Before this library was undertaken, some of the best books included in it had lain long on the shelves of the English importer, and though recommended to the trade by readers of taste and judgment, who had discovered their merits, were systematically rejected. They would not sell, they said; they were not like the Laura Matilda novels it was the fashion to publish; they might be good, but if so, they were too good—too good to sell. This was the complimentary treatment of the public by publishers of the old school, who one day woke up from their ancient belief, and found a library of *Choice* Reading actually established, publishing its volumes every week, relished, enjoyed and paid for by the people, who were thenceforth becoming rapidly discontented with the hack novels aforesaid. Here were books with thought in them, pure, piquant, witty in style, "with a relish that inviteth," as different as possible from the ordinary run of books for the people. They were separately good, and there was variety in them: for history and biography, Carlyle's Cromwell, Lord Mahon's Conde, and the Autobiography of Cellini, as full of wonder as Munchausen, and as full of information as Hume: for books of travels an entirely new school of observers and narrators—men of the world, of wit and character. Eothen, the first volume, was a shot fired into dullness from which it will not speedily recover. No writer can after this enter upon one of those jog-trot series of commonplaces which filled up books of travels formerly, without at least being aware of his impertinence. The reader of Eothen knows what may be seen and what can be said. The Crescent and the Cross, and Thackeray's Journey from Cornhill to Cairo, belong to the same class of writers, full of the prodigality of full heads and hearts. Sir Francis Head's Bubbles, and Victor Hugo's Rhine, came up to the standard. For fiction, in place of the novel of three volumes, we have the Amber Witch; Undine; Lady Willoughby; Zschokke's Tales; the Crock of Gold, and such classicalities that are not too bulky or heavy to travel down readily to posterity. Then came Leigh Hunt, and Hazlitt, and Professor Wilson, and Thomas Hood, and Laman Blanchard, and T. K. Hervey, and Charles Lamb, and Charles Dickens, and Keats, with Walter Savage Landor and De Quincey, and a host of others in reserve. Is it a wonder that the library should be sixty volumes old, "a great Cæsar fed on such meats," or will it be a wonder if it reach the age of old Parr, and rejoice in a hundred and sixty?

Some of the recent volumes of the Library have been among the best. Leigh Hunt's Italian Poets introduces the reader, ignorant of the Italian language, to a new world of poetic beauty in the study of the great masters of song—Dante, Ariosto, Tasso The Italian Pilgrim's Progress, the story of Angelica, the Gardens of Armida, are unequalled in beauty as prose narratives. The reader may, from a few days' perusal of this delightful volume, gain a familiarity with the great authors which has cost scholars, before this "royal road" was made, years of study.

We are glad to perceive that the American series of this Library is advancing—not indeed so rapidly as the other, for it has not all the literature of the past and of foreign countries to draw upon, but firmly and satisfactorily. Mr. Mathews' Big Abel and Little Manhattan is the only new work of invention and fancy published in this series, but works of this original character are never very frequent; and in the lighter departments of essay and description, the series has been fully supported by Headley and Cheever's travels. Mr. Simms' Wigwam and Cabin contains some of the best things he has done. In constructive skill it has seldom been surpassed, while its purely American material adds greatly to its value. Mrs. Kirkland's Western Clearings" has been equally successful. By reference to our Literary Bulletin, the reader will see several new works announced—among others, a book with a curious title, by Herman Melville, a brother, we believe,

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to the Secretary of Legation at London—Typee, the name of a tribe of the Marquesas, among whom—the naked, tattooed, beautiful, manly and womanly cannibals—the author was domesticated. A picture of these islanders may be looked for with interest.

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*History of Silk, Cotton, Linen, Wool and other fibrous substances; including observations on Spinning, Dyeing and Weaving, also an account of the Pastoral Life of the Ancients, &c. &c.*—New York, Harper & Brothers, 82 Cliff-street.

We have before called attention to this valuable work, and think it deserves a more particular notice. In this commercial age the four "raw materials" of which it more especially treats, have come to be the powers which move and govern the world. Cotton alone forms a bond of peace and amity between the old and new worlds. The chicanery of politicians, and the bad ambition of the military are bound by the strong mutual interest which the two greatest nations of modern times have in the sale and purchase of cotton. The defence of New-Orleans, the last battle fought on this continent, affords not a bad illustration of the position cotton now holds in the commercial world. The myrmidons of England having overrun the Peninsula and driven back the veterans of France, under her ablest marshals, were hurled with desperate energy against the crescent city. The bales of cotton, defended by the indomitable heroism of western rifles, baffled the chosen troops of England, and they retired in disgrace. From that moment, Cotton has grown in importance, until England cannot dispense with it on any terms, and it has become a bond for her good behavior. The mercantile navy of the United States, is almost solely employed in its transportation. Linen and Wool, as well as Silk, have also become important items in national intercourse; and it is remarkable that in the last 30 years only, have these materials risen into great importance as articles of transportation. The ancient history of the now "rulers of the commercial world," if they may so be called, is exceedingly interesting. Their slow progress through the dark period anterior to the Christian era, is in the volume of which we treat, traced with great labor and admirable skill. The struggle of the infant manufactures against the rude oppression of haughty military governments, and aristocracies—the restrictions and regulations they underwent, through the jealous avarice of rulers, and the sufferings of the early manufactures in consequence of the utter contempt with which all useful employments were regarded by the race of robbers, called nobles and princes, through long ages, are highly instructive; and the more so, when we reflect that "the age of chivalry is gone!" and that war and military glory are rapidly exchanging places with the manufacturing arts. The former falling into contempt, and the latter taking their proper place as the most honorable employments. On all these points, the noble volume published by the Harpers, affords a mine of instruction and entertainment.

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*The Attraction of the Cross;* designed to illustrate the leading truths, obligations and hopes of Christianity. By GARDINER SPRING, D. D. Third Edition. New-York, M. W. Dodd.

The author of this work is well known among us, as an able and eloquent divine. It has evidently been prepared with much care and labor, and as a most appropriate and affectionate memento for his church and congregation, to whom it is very chastely and briefly dedicated. Of the peculiar views which it advocates, it does not befit us to judge. We can only assume his premises, and speak of the truth or clearness of his deductions, and the spirit in which they are made. The leading thoughts are clear, and often presented with power; the style, graceful and flowing, though sometimes diffuse. It is not the design of the work, as the author has avowed, to present even an outline of the evidences of Christianity, but rather "a transient view of them while standing by the cross." And this view is presented with earnestness and sincerity, with a genuine, spiritual tone, which shows the whole heart to have been in it, and the great motive to have been a desire to bring this class of truths before the rising generation with greater prominence.

The Cross of Christ, he says, is the hope of the world, not as a ritual emblem—not as a wonder working enchantment—but only as it is expressive of the truth of God, and of a religion that is internal, spiritual, practical, intelligible, and personal. It is a condensed view of that truth at which the author has aimed; and though his range is discursive, his object is truth, and his desire to utter only "the mind of the spirit."

From the twenty-two chapters, in which the work is comprised, those, *On the truth of the Cross, The actual purpose of the Cross, Faith in the Cross, The holiness of the Cross, and all things tributary to the Cross,* evince much thought, and present a comprehensive view of the great truths on which the author supposes the plan of redemption to rest. The latter chapter has many passages of great force and

beauty. The leading thought is, *that the unity of the divine government results from its unity of design;* that amidst the diversity, the inconceivably rich variety of the deity's works, some one work—some great design, has a pre-eminence above the rest, and this great work and design, is the redemption—to be subserved by every other. This subserviency is illustrated by a brief induction from the material and intellectual creation.

We commend the volume as one worthy of perusal and of deep interest, however much the reader may differ from the assumptions or the arguments of the author.

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*Notes of a Journey from Cornhill to Cairo.* By Mr. Michael Angelo Titmarsh, (i. e. W. M. Thackeray,) 1 vol. 12mo. N. Y. Wiley and Putnam.

This volume makes No. 58 of Wiley and Putnam's Library of Choice Reading. It is written in chaste, flowing style, and is full of life and irresistible humour. With less of the formality and pretension of ordinary volumes of travel, it presents a simple and often graphic picture of persons, places and scenes, which came to the eye of the writer, in a two months' pleasure excursion in the Mediterranean, during which, under the most favourable circumstances for seeing all that was worthy of note, he visited Malta, Athens, Smyrna, Constantinople, Jerusalem and Cairo. The opening of the first chapter, describing his own feelings and the scene before him on the morning of the first night at sea, after having left the chilly winds off the Isle of Wight for a more balmy air—the beauty and grandeur of the canopy above, then thickly studded with its gems of light, as well as of the ocean around him, is a fair index of the spirit and style of the book. One of the most pleasing and readable chapters gives an account of his visit to Jerusalem, and its several objects of historic and classic interest—the Porch of the Sepulchre, Greek and Latin Legends, Church of the Sepulchre, Bethlehem, and other places made memorable in sacred history.

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## MONTHLY LITERARY BULLETIN.

The new literary enterprises of the Messrs. Harper, include among others the following important and attractive works:—A volume of Discourses and Sermons from the pen of the celebrated Merle D'Aubigne,—or properly written Merle *of* D'Aubigné. Translated by the Rev. Dr. Baird.—Gardner's Farmers Dictionary, a complete repertory of information on all subjects connected with Husbandry, Agriculture, &c.—Zumpt's Grammar, the improved edition, edited by Prof. Anthon.—A school abridgment of Anthon's, Smith's Classical Dictionary.—Prof. McClintoch's new series of Greek and Latin school books, on the model of Ollendorf's system.—Simondi's Literature of the South of Europe, new edition.—A splendid Pictorial edition of Goldsmith's Poems.—The Pictorial History of England, in numbers, which will speedily be commenced. Also, Foster's Lives of eminent British Statesmen.—Siddell's & Scott's Greek Lexicon, which is rapidly drawing towards completion.—A new volume of Tales by Paulding.—A new work by the author of "Kate in Search of a Husband," entitled "Jesse's Flirtations."—Two or three others of a kindred character, such as, "A Year with the Franklins." By Miss E. Jane Cate.—"Elizabeth Benton, on the Connexion of Religion with Fashionable Life."—Hallam's Constitutional History, the new edition.—A revised edition of Webster's English Dictionary.—A new series of their District School Library, being the fifth, &c. They have recently issued some valuable books, such as Mill's "System of Logic, ratiocinative and inductive,"—a work of extraordinary merit and scholarship.—Dwight's System of Theology, a new improved edition, with a memoir of the author, &c., in 4 vols. 8vo.—A volume of Critical and Biographical Miscellanies. By W. H. Prescott, &c.—"*The Pastoral Life and Manufactures of the Ancients,* &c."—a volume of extreme interest and value.

The Appletons have issued in their Literary Miscellany, Guizot's History of the English Revolution, translated by Wm. Hazlett. 1 v. 8vo., in paper $1—cloth $1,25. This is one of the most important and valuable works issued this season, and demands more space and attention than we can give to it in our present number. This, with Arnold's Rome, and some other large works recently published by this House, we shall subsequently notice more at length. The English Revolution forms the VIII. & IX. volumes of the Miscellany. The other seven volumes are—I. Gertrude, a Tale, by the author of "Amy Herbert." Edited by Rev. W. Sewell, B. D. One neat volume, 12mo. Paper cover, 50 cents, cloth 75 cents. II. & III. The "Waverly" of Italy —I Promessi Sposi, or, The Betrothed Lovers. Translated from the Italian of Manzoni. Paper cover $1, cloth $1,50. IV. Memoirs of an American Lady, by Mrs. Grant. of Laggan. One volume, paper 50 cents, cloth 75 cents. V. The Life of Schiller, by Thomas Carlyle. A new edition, revised by the author. One volume, 12mo., cloth 75 cents, paper cover 50 cents. VI. & VII. Sketches of Modern Literature and Literary men, (being a Gallery of Literary Portraits,) by George Gilfillan. Reprinted entire from the London edition. Two vols. 12mo., paper cover $1, or two volumes in one, cloth $1,25.

To say that no volumes have lately been published of more sterling merit, pure morality, chasteness of style and permanent interest for miscellaneous reading for all classes is but just commendation.

Wiley & Putnam will soon issue Mrs. Kirkland's new work entitled Spencer and the Fairy Queen, in their Library of American Books. Nathaniel Hawthorne will also speedily publish in this series, Mosses from an old Manse, a series of tales, the product of his residence at Concord, Mass.; also, Typee—a Peep at Polynesian Life, during a four months' residence in the Valley of the Marquesas, with notices of the French occupation of Tahiti and the provisional cession of the Sandwich Islands to Lord Paulet, by Herman Melville.

They have also in press for the Library of Choice Reading, Poetry and Truth out of my life—the Autobiography of Goethe, translated by Park Godwin: Thiodolf the Icelander, by La Motte Foque—Hood's Serious Poems, published by his widow—Hazlitt's Table Talk, a new volume—Izaak Walton's Lives of Drune, Herbert and others, with life, by Zouch.

Paine & Burgess will also soon issue a new edition of Montezuma, by E. Maturin—a work of much dramatic power and interest, and which does credit to the genius and character of the author.

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Wm. A. Haywood Jr.

U. S. SENATOR, NORTH CAROLINA

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UNITED STATES

DEMOCRATIC

... of one third at least of all the states of are the offspring of any single genera-

* Democratic Review, December, 1843.

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THE

# UNITED STATES MAGAZINE,

AND

# DEMOCRATIC REVIEW.

VOL. XVIII. APRIL, 1846. No. XCIV.

## THE PROGRESS OF CONSTITUTIONAL REFORM IN THE UNITED STATES.

IT is now some three years since we were led by the interest which was then manifesting itself in the State of New-York, upon the subject of Constitutional Reform, to attempt a definition of the true end and purpose of constitutional guaranties, and the principles by which their alteration or amendment should be conducted.* We then maintained, among other things, that in governments where all classes are so fully represented as in the United States of America, where public opinion is so rapid in its formation and circulation, and so controlling in its authority, the Constitution should be subjected to a thorough revision, once at least in the life-time of every generation, and such repairs be made as are clearly and steadfastly demanded by a manifest majority of the voting population, for whom it is designed. Since we then invited the attention of our readers to this subject, new constitutions have been adopted by the States of New-Jersey, Louisiana, Texas, and Missouri; a Convention has been called for the purpose of revising the Constitution of New-York, and a similar call will probably be made before another year shall have rolled away, by the people of Maryland and Virginia. It is safe to say, that within the space of seven years, the Constitutions of one third at least of all the states of the Union will have undergone a thorough revision.

These facts prove two things—first, that our view of the constant improveability of all political Constitutions, and their liability to the infirmities of age, is probably shared by a controlling proportion of the American people; and secondly, that the national mind is ripe for extraordinary changes and improvements in constitutional science. The growth of our people in this species of wisdom has not been duly appreciated, for obvious reasons. A nation is a long time settling a principle of policy. While that principle is the occasion of political differences and hostile party organizations, it neither receives nor deserves any more permanent expression than it can find in the laws and in the discordant opinions of men. When, however, it has been thus applied experimentally, and has entitled itself to popular favor and confidence, all hostility to it of course ceases, and from that time the sooner it is incorporated into the fundamental law, the less chance will there be for its force to be wasted or its teachings to be disregarded. But to *try* and to *prove* a principle of government in this wise, is necessarily a slow process; and but a few, even in this country of ready political intercourse and communion, are the offspring of any single genera-

* Democratic Review, December, 1843.

tion. For the past half century the national mind of this country has been storing up a vast amount of political wisdom, which is sure to make itself heard and felt in our legislation and in the administration of our public affairs, but which has never been formally incorporated into the body of our political science. Indeed, it is not too much to say, that the people of every state in the Union are far in advance of their written Constitution, in political sagacity—but owing to their veneration for that instrument, they ever hesitate about and postpone the solemn work of "posting up" their political experience. That work, however, now we believe has seriously commenced. A public sentiment, sustained firmly by the integrity and prudence which always characterize enlightened reformers, has made its appearance, and calls for more adequate constitutional guarantees, with such earnestness, and in so many quarters, that we are encouraged to believe it will become universal, and that all the political experience elaborated during the first half century of our great "experiment," is finally to be reduced to scientific principles, and placed in a condition to defy the accidents of time and the caprice of men.

That the sources from whence we derive this encouragement may be understood, we propose to sketch the history of Constitutional Reform in the various states where it has been agitated since the occasion of our former article upon the subject, and to state the results, if any, which this agitation has achieved.

The state which was earliest among these to become interested in providing herself with an improved Constitutional Code, and which is therefore first entitled to our notice, was,

*New-Jersey.*—The Constitution under which the people of this state existed until about two years since, was adopted on the 2d day of July, 1776. It had never been amended or changed. It was superseded by the new Constitution, on the 29th day of June, 1844.

This instrument is, of course, a very great improvement upon its venerable predecessor, but it is far from being complete or sufficient to satisfy the expectations of modern democrats. It contains few peculiarities with which the Constitutions of many of the other states are not familiar. The following are its most note worthy features:

It frees the right of suffrage from all property qualifications, but denies the privilege to women and negroes, who enjoyed that privilege under the old constitution.

The Legislative power is vested in a Senate and General Assembly. *Each county sends one Senator* for three years. The General Assembly can never consist of over sixty.

Members of the Senate and Assembly shall not receive, as compensation, more than three dollars per day, *for the first forty days of their session*, and not over *one dollar and fifty cents per day for the remainder.*

*The credit of the state cannot be loaned, directly or indirectly, in any case.*

The Legislature shall not, in any manner, create any debt or debts, liability or liabilities of the state, which shall singly, or in the aggregate, with any previous debt or liabilities, exceed $100,000, except for purposes of war, or to repel invasion, or to suppress insurrection, unless the same shall be authorized by a law, for some single object or work to be distinctly specified therein; which law shall provide the ways and means, exclusive of loans, to pay the interest of such debt or liability as it falls due; and also to pay and discharge the principal of such debt or liability within thirty-five years from the time of contracting thereof, and shall be irrepealable until such debt or liability, and the interest thereon, are fully paid and discharged: and no such law shall take effect until it shall, at a general election, have been submitted to the people, and have received the sanction of a majority of all the votes cast for and against it at such election; and all money to be raised, by the authority of such law, shall be applied only to the specific object stated therein, and to the payment of the debt thereby created.

"This section shall not be construed to refer to any money that has been or may be deposited with this state, by the government of the United States."

We fear the above will be found a very imperfect restriction upon the debt creating propensities of jobbing Legislatures, even if no difficulty should be encountered in giving it a construction. We imagine, however, that both judges and politicians are destined to differ seriously about its meaning, before this Constitution will be as old as its predecessor.

No person can be imprisoned for debt, except for fraud.

*No person can be imprisoned for a militia fine in time of peace.*

No divorce can be granted by the Legislature.

The Legislature can neither impair contracts, *or their remedies.*

The assent of three-fifths of *the members elected* to each house, is required, for granting, altering, continuing, and renewing any bank charter or money corporation, and all such charters are limited to a term not exceeding twenty-one years.

Private property may not be taken for public use, without just compensation *first* made to the owner.

The veto of the Governor may be overruled by a majority, provided each house reconsider the bill, after the return by the governor, on some day subsequent to that on which it shall be so returned to that house in which it is to be reconsidered.

The Governor has power to suspend fines and forfeitures, and to grant reprieves. But the power to pardon convicted criminals, and to remit fines and forfeitures, is only possessed by the Governor, in conjunction with the Chancellor and the six judges of the Court of Errors and Appeals, or a major part of them, of whom the Governor shall be one.

The judicial organization we are compelled to esteem very imperfect. It has nearly all the objectionable features of the judicial organization of New-York State. The following are the only points worth noticing here :

The Justices of the Supreme Court, and Chancellor and Judges of the Court of Appeals and of Errors, are appointed by the Governor and Senate for *seven years.*

The Judges of the Court of Common Pleas are appointed by the Senate and General Assembly for *five years.*

Clerks of counties and *Surrogates are elected* by their respective counties for five years.

We have no particular interest to point out the defects and short comings of this Constitution, nor do we imagine that they can be of very great importance to a people who have been contented to live nearly three quarters of a century, under a Constitution like that first established in New-Jersey, without altering or amending it.

*Louisiana.*—The new Constitution of this state was adopted in Convention, on the 14th day of May, 1845, superseding the old Constitution, which was adopted on the 28th day of Jan., 1812. The Convention commenced its session at New-Orleans, on the 14th of January, 1845; and sat, *de die in diem*, until the 16th day of May, 1845 —four full months. The Hon. Joseph Walker, Senatorial Delegate from the county of Rapides, was President, and Horatio Davis, Esq., Clerk, of the Convention. Among the delegates were the most eminent jurists and statesmen of Louisiana. The debates contain much eloquence, and appears to have been conducted with great dignity; but they are superficial. No subject appears to have been exhausted before the Convention, nor do the speakers ever, in their speeches, seem to have encountered the difficulty *of principle*, upon which the subject of their discussion was depending. We are far from believing, however, that the subjects brought to the notice of that body, were, in fact, superficially considered, for the results of their deliberations were marked by quite too much wisdom to admit of such a suspicion being permanently entertained. Among these results, we notice the following provisions, as worthy of respectful consideration :

The legislative power is vested in a House of Representatives and a Senate, which are together styled "The General Assembly of the State of Louisiana." These bodies hold *biennial sessions*, and the delegates are chosen at *biennial elections.*

The members of the General Assembly are paid four dollars a day while on duty, subject to an increase or decrease, by law, to operate upon those who succeed the delegation that makes the change.

No session shall extend to a period beyond sixty days; and any act done after that time by the General Assembly, is void.

No Senator or Representative shall, during the time for which he was elected, *nor for one year thereafter*, be appointed or elected to any civil office of profit under this state, which shall have been created, or the emoluments of which shall have been increased, during the time such Senator or Representative was in office, except to such offices or appointments as may be filled by the elections of the people.

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No person, while he shall exercise the functions of the priesthood, or a religious teacher of any denomination, *shall be eligible to the General Assembly.*

No person, who has been entrusted with public monies, shall be eligible to any office of profit or trust under the state government, until he *shall have obtained a discharge for the amount of all monies so entrusted.*

The Governor is elected for four years, and is ineligible for the succeeding four years.

No member of Congress, or person holding any office under the U. S., *or minister of any religious society,* shall be eligible to the offices of Governor or Lieutenant Governor.

The Governor holds the pardoning power, subject to the concurrence of the Senate.

When the two branches of the General Assembly cannot agree as to the time of adjournment, the Governor may adjourn them to a period not exceeding four months.

The Governor has a veto upon all bills, and also upon every order, resolution, or vote, to which the concurrence of both houses may be necessary, except on a question of adjournment; and his veto can only be overruled by a two-third vote of both houses.

The Judiciary of Louisiana is more simply, and, at the same time, more efficiently organized than that of any other state in the Union.

"The judicial power shall be vested in a Supreme Court, in District Courts, and in justices of the peace.

"The Supreme Court, except in cases hereinafter provided, shall have appellate jurisdiction only; which jurisdiction shall extend to all cases, when the matter in dispute shall exceed three hundred dollars. And to all cases in which the constitutionality, or legality of any tax, toll, or import of any kind or nature soever, shall be in contestation, whatever may be the amount thereof; and likewise to all fines, forfeitures, and penalties imposed by municipal corporations; and in criminal cases, on questions of law alone, whenever the punishment of death, or hard labor, may be inflicted, or when a fine exceeding three hundred dollars is actually imposed.

"The Supreme Court shall be composed of one chief justice, and three associate justices, a majority of whom shall constitute a quorum. The chief justice shall receive a salary of six thousand dollars, and each of the associate judges a salary of five thousand five hundred dollars, annually. The court shall appoint its own clerks. The judges shall be appointed for the term of eight years.

"*No duties or functions shall ever be attached by law to the Supreme or District Courts, or to the several judges thereof, but such as are judicial; and the said judges are prohibited from receiving any fees of office, or other compensation, than their salaries, for any civil duties performed by them.*

"The judges of all courts shall be liable to impeachment; but for any reasonable cause, which shall not be sufficient ground for impeachment, the Governor shall remove any of them, *on the address of three-fourths of the members present, of each house of the General Assembly.* In every such case, the cause or causes for which such removal may be required, shall be stated at length in the address, and inserted in the journal of each house.

"The state is directed to be divided into not less than twelve, nor more than twenty districts, over which one judge may be appointed; except in the districts of New-Orleans and Lafayette, in which the Legislature may appoint as many as the public interest may require.

"Each district judge holds his seat for six years.

"The salary of a district judge may be fixed by law, but never less than $2,500 per annum.

"The District Courts shall have original jurisdiction, in all civil cases, when the amount in dispute exceeds fifty dollars, exclusive of interest. In all criminal cases, and in all matters connected with succession, their jurisdiction shall be unlimited.

"The Legislature shall have power to vest in clerks of courts authority to grant such orders, and do such acts as may be deemed necessary for the furtherance of the administration of justice; and in all cases the powers thus granted shall be specified and determined.

"The jurisdiction of justices of the peace shall never exceed, in civil cases, the sum of one hundred dollars, exclusive of interest, subject to appeal to the District Court, in such cases as shall be provided for by law. They shall be elected by the qualified voters of each parish, for the term of two years, and shall have such criminal jurisdiction as shall be provided for by law."

The following provisions, designed to prevent duelling, seem more wisely conceived for such purpose, than any legislation we have ever before met upon this subject:

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"Members of the General Assembly, and all officers, before they enter upon the duties of their offices, shall take the following oath or affirmation:

"I, (A. B,) solemnly swear (or affirm,) that I will faithfully and impartially discharge and perform all the duties incumbent on me as ———, according to the best of my abilities and understanding, agreeable to the Constitution and Laws of the United States, and of this state; and I do further solemnly swear (or affirm,) that since the adoption of the present Constitution, I, being a citizen of this state, have not fought a duel with deadly weapons within this state, nor out of it with a citizen of this state; nor have I sent or accepted a challenge to fight a duel with deadly weapons, with a citizen of this state; nor have I acted as second in carrying a challenge; or aided, advised, or assisted any person thus offending; so help me God.

"Any citizen of this state, who shall, after the adoption of this Constitution, fight a duel with deadly weapons with a citizen of this state, or send or accept a challenge to fight a duel with deadly weapons, either within the state, or out of it, with a citizen of this state, or who shall act as second, or knowingly aid and assist, in any manner, those thus offending, shall be *deprived of holding any office of trust or profit, and of enjoying the right of suffrage under this Constitution.*

By the Constitution of Mississippi the Legislature has the power of prescribing the preceding oath of office to all executive and judicial officers before entering upon their official duties.

"Any person offering a bribe to procure any office, shall be, in consequence, disqualified for holding the same."

The following limitations upon the powers of the state to contract debts, are worthy of all acceptation:

"The Legislature shall not pledge the faith of the state for the payment of any bonds, bills, or other contracts or obligations, for the benefit or use of any person or persons, corporation or body politic whatever. But the state shall have the right to issue new bonds in payment of its outstanding obligations or liabilities, whether due or not; the said new bonds, however, are not to be issued for a larger amount, or at a higher rate of interest, than the original obligations they are intended to replace.

"The aggregate amount of debts hereafter contracted by the Legislature, shall never exceed the sum of one hundred thousand dollars, except in case of war, to repel invasions, or suppress insurrections, unless the same be authorized by some law, for some single object or work, to be distinctly specified therein; which law shall provide ways and means by taxation, for the payment of running interest during the whole time, for which said debt shall be contracted, and for the full and punctual discharge, at maturity, of the capital borrowed; and said law shall be irrepealable until principal and interest are fully paid and discharged, and shall not be put into execution until after its enactment by the first Legislature, returned by a general election, after its passage.

"No divorce shall be granted by the Legislature.

"*The state shall not become subscriber to the stock of any corporation or joint stock company.*

"No law shall be revised or amended by reference to its title; but in such case, the act revised or section amended, *shall be re-enacted and published at length.*"

The following very stringent provisions respecting corporations, also deserve notice:

"*No corporate body shall be hereafter created, renewed, or extended, with banking or discounting privileges.*

"*Corporations shall not be created in this state by special laws, except for political or municipal purposes; but the Legislature shall provide, by general laws, for the organization of all other corporations, except corporations with banking or discounting privileges, the creation of which is prohibited.*

"From and after the month of January, 1890, the Legislature shall have the power to revoke the charter of all corporations, whose charters shall not have expired previous to that time; and no corporations, hereafter to be created, shall ever endure for a longer term than twenty-five years, except those which are political or municipal.

"The General Assembly shall never grant any exclusive privilege or monopoly, for a longer period than twenty years.

"No person shall hold more than one civil office at a time, except that of justice of the peace."

The new Constitution of Louisiana discovers more political insight, and a more absolute reliance upon the principle upon which popular governments are based, than appears in the fundamental law of any other state in the Union. We shall have occasion at another time to notice, what seems to us to be defects in some of its provisions; but, up to this day, it is doubtless the wisest political Constitution in force over any nation or people in the world.

*Texas.*—The Constitution under which the State of Texas commenced her national existence as a member of this Republic, was adopted in Convention, at the city of Austin, on the 4th day of July last; and was approved by the people on the 13th day of October following. The Hon. Thomas J. Rusk, President, and Jas. H. Raymond, was Clerk, of the Convention. The Constitution closely resembles that of Louisiana, from which its spirit, and many of its provisions, are obviously derived. It contains some features peculiar to itself, and entirely unknown to the country. The results of their labors exhibit less faith, and a greater disposition to feel contented with providing for the present merely, than will be remarked in the Constitution of their more experienced and deliberate neighbors of Louisiana.

The following, are among the most interesting provisions of the Texian Constitution:

"Every free male person who shall have attained the age of twenty-one years, and who shall be a citizen of the United States, or who is at the time of the adoption of this Constitution by the Congress of the United States, a citizen of the republic of Texas, and shall have resided in this state one year next preceding an election, and the last six months within the district, county, city, or town in which he offers to vote, (Indians not taxed, Africans and descendants of Africans excepted,) shall be deemed a qualified elector; and should such qualified elector happen to be in any other county situated in the district in which he resides at the time of an election, he shall be permitted to vote for any district officer any where in the state; provided, that the qualified electors shall be permitted to vote any where in the state for state officers; and provided, further, that no soldier, seaman, or marine, in the army or navy of the United States, shall be entitled to vote at any election created by this Constitution.

"All free male persons over the age of twenty-one years, (Indians not taxed, Africans and descendants of Africans excepted,) who shall have resided six months in Texas, immediately preceding the acceptance of this Constitution by the Congress of the United States, shall be deemed qualified electors.

"The Legislative power is vested in a Senate and House of Representatives, who shall be chosen at biennial elections and *biennial sessions*. The Senators are elected for four years; half going out every two years.

"No Senator or Representative shall, during the term for which he may be elected, be eligible to any civil office of profit under this state, which shall have been created, or the emoluments of which may have been increased during such term: and no member of either House of the Legislature shall, during the term for which he is elected, be eligible to any office or place, the appointment to which may be made in whole or in part, by either branch of the Legislature; nor shall the members thereof be capable of voting for a member of their own body, for any office whatever, except it be in such cases as are herein provided. The President for the time being of the Senate, and Speaker of the House of Representatives, shall be elected from their respective bodies.

"No judge of any court of law or equity, Secretary of State, Attorney General, Clerk of any Court of Record, Sheriff, or Collector, or any person holding a lucrative office under the United States, or this state, or any foreign government, shall be eligible to the Legislature, nor shall at the same time hold or exercise any two offices, agencies or appointments of trust or profit under this state: Provided, that offices of the militia, to which there is attached no annual salary, or the office of justice of the peace, shall not be deemed lucrative.

"No person who has been entrusted with public monies, shall be eligible to any office of profit or trust under the state government, *until he shall have obtained a discharge for the amount of all monies so entrusted.*

"Clergymen are ineligible to the Legislature."

"No bill is to have the force of a law until on three several days it be read in each House, and free discussion be allowed thereon, *unless in case of great emergency four-fifths of the House in which the bill may be pending, may deem it expedient to dispense with this rule.*

"After a bill or resolution has been rejected by either branch of the Legislature, no bill or resolution containing the same substance shall be passed into a law during the same session."

The judicial organization of Texas closely resembles that of Louisiana, except that it grants to the Legislature the power of creating such tribunals inferior to the Supreme and District Courts, as from time to time they may deem necessary. We think Louisiana has wisely denied to the Legislature any right to multiply courts of any kind.

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The Supreme Court has appellate jurisdiction only, which is co-extensive with the state, but in criminal cases, and in appeals from interlocutory judgments, subject to be regulated by the Legislature. The judges of this court also have power to issue the writ of habeas corpus, and under such regulations as may be prescribed by law, may issue writs of mandamus, and such other writs as shall be necessary to enforce its own jurisdiction; and also compel a judge of the District Court to proceed to trial and judgment in a cause.

"The District Court shall have original jurisdiction of all criminal cases, of all suits in behalf of the state to recover penalties, forfeitures and escheats, and of all cases of divorce, and of all suits, complaints and pleas whatever, *without regard to any distinction between law and equity*, when the matter in controversy shall be valued at, or amount to, one hundred dollars, exclusive of interests; and the said courts, or the judges thereof, shall have power to issue all writs necessary to enforce their own jurisdiction, and give them a general superintendence and control over inferior jurisdictions.

"And in the trial of all criminal cases, the *jury trying the same shall find and assess the amount of punishment to be inflicted, or fine imposed*; except in capital cases, and where the punishment or fine imposed shall be specifically imposed by law.

"There shall be a clerk of the District Court for each county, *who shall be elected by the qualified voters for members of the Legislature*, and who shall hold his office for four years, subject to removal by information, or by presentment of a grand jury, and conviction of a petit jury. In case of vacancy, the judge of the district shall have the power to appoint a clerk until a regular election can be held.

"The judges of the Supreme and District Courts are appointed by the Governor, with the concurrence of two-thirds of the Senate, and hold their seat for six years.

"In the trial of *all causes in equity in the District Court*, the plaintiff or defendant shall, upon application made in open court, *have the right of trial by jury, to be governed by the rules and regulations prescribed in trials at law.*

"No law shall be revised or amended by its title; but in such case the act revised or section amended shall be re-enacted and published at length.

"The Governor is elected for two years, but is not elegible for more than four years in any term of six.

"His veto has the same force as in Louisiana.

"Nominations to fill all vacancies that may have occurred during the recess, shall be made to the Senate during *the first ten days of its session*. And should any nomination so made be rejected, the same individual shall not again be nominated during the session to fill the same office. *And should the Governor fail to make nominations to fill any vacancy, during the session of the Senate, such vacancy shall not be filled by the Governor until the next meeting of the Senate.*

"The Governor shall reside, during the session of the Legislature, at the place where their sessions may be held, and at all other times wherever, in their opinion, the public good may require.

Duelling is visited with the same political disabilities as in Louisiana.

"Every person shall be disqualified from holding any office of trust or profit in this state, who shall have been convicted of having given or offered a bribe to procure his election or appointment."

This provision is very indefinite. It may be doubted whether it forbids the candidate procuring an agent to present the bribe, and also whether he is disqualified from holding any other office than that for which he has offered to bribe.

The following excellent provision, relating to compensation of officers, we hope will commend themselves to the favor and imitation of every state in the Union.

"The Legislature shall provide by law, for the compensation of all officers, servants, agents, and public contractors not provided for by this Constitution; *and shall not grant extra compensation to any officer, agent, servant or public contractor, after such public service shall have been performed, or contract entered into for the performance of the same*; nor grant by appropriation or otherwise, any amount of money out of the treasury of the state, to any individual, on a claim real or pretended, where the same shall not have been provided for by pre-existing law. Provided, that nothing in this section shall be so construed as to affect the claims of persons against the Republic of Texas, heretofore existing.

"The Legislature shall have power to provide for deductions from the salaries of public officers, who may neglect the performance of any duty that may be assigned them by law.

"The laws of the state are to be digested *every ten years*, and no law shall be revised or amended by its title; but the

act revised or section amended shall be re-enacted and published at length.

"No divorce shall be granted by the Legislature."

The following provisions are unknown to any other American Constitution, and contain principles of exceeding importance and value. We hope that in some form, they may find their way into the fundamental law of the whole confederacy.

"All property, both real and personal of the wife, owned or claimed by her before marriage, and that acquired afterwards by gift, devise, or descent, shall be her separate property; and laws shall be passed more clearly defining the rights of the wife, in relation as well to her separate property as that held in common with her husband. Laws shall also be passed providing for the registration of the wife's separate property.

"The Legislature shall have power to protect by law, from forced sale, a certain portion of the property of all heads of families. The homestead of a family not to exceed two hundred acres of land, (not included in a town or city,) or any town or city lot or lots, in value not to exceed two thousand dollars, shall not be subject to forced sale for any debts hereafter contracted; nor shall the owner, if a married man, be at liberty to alienate the same, unless by the consent of the wife, in such manner as the Legislature may hereafter point out."

The following provision would seem to indicate that Texas, though a foreign and independent power for the period, had profited far more by the political experience of our people, than had they by whom that experience had been endu ed.

"No corporate body shall hereafter be created, renewed or extended, *with banking or discounting privileges.*

"No private corporation shall be created, unless the bill creating it shall be passed by two-thirds of both houses of the Legislature; and two-thirds of the Legislature shall have power to revoke and repeal all private corporations, by making compensation for the franchise. *And the state shall not be part owner of the stock or property belonging to any corporation.*

"The aggregate amount of debts hereafter contracted by the Legislature, shall never exceed the sum of one hundred thousand dollars, exept in case of war, to repel invasions, or suppress insurrections. And in no case shall any amount be borrowed except by a vote of two-thirds of both houses of the Legislature.

The following regulations respecting property in slaves, are as judicious and tolerable as were to have been expected under the circumstances.

"The Legislature shall have no power to pass laws for the emancipation of slaves, without the consent of their owners; nor without paying their owners, previous to such emancipation, a full equivalent in money, for the slaves so emancipated. They shall have no power to prevent emigrants to this state from bringing with them such persons as are deemed slaves by the laws of any of the United States, so long as any person of the same age or description shall be continued in slavery, by the laws of this state; *provided*, that such slave be the *bona fide* property of such emigrants: *provided*, also, that laws shall be passed to inhibit the introduction, into this state, of slaves who have committed high crimes in other states or territories. They shall have the right to pass laws to permit the owners of slaves to emancipate them, saving the rights of creditors, and preventing them from becoming a public charge. They shall have full power to pass laws, which will oblige the owners of slaves to treat them with humanity: to provide for them necessary food and clothing; to abstain from all injuries to them, extending to life or limb; and in case of their neglect or refusal to comply with the directions of such laws, to have such slave or slaves taken from such owner, and sold for the benefit of such owner or owners. They may pass laws to prevent slaves from being brought into this state as merchandise only.

"In the prosecution of slaves for crimes of a higher grade than petit larceny, the Legislature shall have no power to deprive them of an impartial trial by a petit jury."

The Legislature is directed to set apart one tenth of the annual revenue, derivable from taxation, to constitute a fund for the support of free public schools.

*Missouri.*—The new Constitution of Missouri yet waits to be approved of by the people. It was adopted by the Convention held at the city of Jefferson, on the 14th day of January last. It will be submitted to the people on the first Monday of August next, and if they accept it, it will go into effect in the month of November following. The Hon. R. W. Wells was President, and R. Walker, Secretary of the Convention, and in the list of Delegates we observe

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the names of many gentlemen of distinguished abilities and consideration. The new Constitution is full of very important improvements upon its predecessor of 1820, which it is expected to supersede.

Among other things it provides:

"That the Legislative power shall be vested in a Senate and House of Representatives, to be styled the General Assembly, and the delegates to both bodies are *to be elected* from *single districts*, (that is, each delegate to have his distinct constituency,) and to hold *biennial* sessions.

"The Senate shall consist of not less than twenty-five, nor more than thirty-three members.

"No person holding any lucrative office under the United States, or of this state, except militia officers, justices of the peace and postmasters, shall be eligible to the General Assembly.

"No defaulter to the state treasury shall be eligible to any office of trust or profit, until he shall have accounted for and paid over all sums for which he is so accountable."

We doubt if any mode is known this side of the Mississippi river, of reconciling the two next following provisions, the first of which occurs in the 3d article of the Constitution, and the other in the 11th, which is entitled "Declaration of Rights."

*"No person while he continues to exercise the functions of a bishop, priest, or clergyman, or teacher of any religious persuasion, denomination, society, or sect whatever, shall be eligible to the office of Governor, Lieutenant Governor, or to either house of the General Assembly, nor to the office of judge in any Court of Record.*

*"No person, on account of his religious opinions, can be rendered ineligible to any office of trust or profit under this state*; that no preference can ever be given by law to any sect or mode of worship; and that no religious corporation can ever be established in this state. No religious sect or society should be permitted to accumulate or hold in mortmain large bodies of land or other property, and all extensive ecclesiastical perpetuities are dangerous to liberty: *Provided, That any religious society may hold, in any assumed name, so much land as may be necessary for a house and buildings for public worship—for a pastorage, and for a burying ground—and for no other purpose whatever; but no congregation for such purposes, shall own more than one acre of land in a town, nor more than ten acres in the county; And provided*, That nothing in this section shall ever be construed to divest any right or title heretofore vested."

No member of the General Assembly shall be appointed to any civil office in the state during the term for which he is elected, unless he be elected thereto by the people.

"Every person who shall directly or indirectly give, or offer any bribe to procure his election or appointment to any office, or the election or appointment of any other person, shall, on conviction, be disqualified for an elector, and for any office of honor, profit, or trust, under this state."

*The state may be prosecuted in the civil tribunals.*

The General Assembly may deduct from the salary of public officers, for neglect of duty in their official capacity.

"It shall be the duty of the General Assembly, as soon as may be, to pass such laws as may be necessary, *First*, to prevent free negroes and mulattoes from coming to and settling in this state, under any pretext whatever; *Provided*, that nothing in this Constitution shall be construed to conflict with the provisions of the first clause of the second section of the fourth article of the Constitution of the United States."

It is fortunate for the credit of the Convention, that the above section, with its limitation, means nothing.

The General Assembly cannot grant divorce in any case.

Any party engaged, or any way concerned, with fighting a duel, is thereby disqualified for holding any office, civil or military, in the State.

All the state laws, both civil and criminal nature, shall be revised once in every sixteen years.

The Governor is elected for four years, and ineligible for the next four.

The Governor's veto may, upon due consideration, be overruled by a majority—and he shall have the same veto upon the joint resolutions of the two Houses, except in case of adjournments, as in the case of a bill.

The judicial organization presents some valuable improvements, but we think it too many stories high. The combination of law and equity is well.

"The judicial power, as to matters of law and equity, shall be vested in a Supreme Court, Circuit Courts, County Courts, Justices of the Peace, and such other tribunals inferior to the Circuit Courts, as the General Assembly may, from time to time, ordain or establish.

"The Supreme Court, except in cases otherwise directed by this Constitution, shall have appellate jurisdiction only, which shall be coextensive with the state, under the restrictions and limitations in this Constitution provided.

"The Supreme Court shall have a general superintending control over all inferior courts; it shall have power to issue writs of habeas corpus, mandamus, prohibition, quo warranto, information in the nature of writs of quo warranto, certiorari, and other original remedial writs, and to hear and determine the same.

"The Supreme Court shall consist of three judges, any two of whom shall be a quorum; it shall hold two sessions annually at the seat of Government, until otherwise directed by law.

"The Governor shall nominate, and by and with the advice and consent of the Senate, shall appoint the judges of the Supreme Court: each judge shall be appointed for the term of twelve years: and every appointment to fill a vacancy, shall be for the residue of the term only, but in all cases the judge shall hold over until a successor shall be appointed and qualified."

*No judge of the Circuit Court shall be elected or appointed to any office of honor, profit or trust, under the government of this state, during the term for which he shall have been elected or appointed, except that a judge of the Circuit Court may be appointed to the Supreme Court;* Provided, that if any judge shall resign his office, he shall not be ineligible to any office for a longer period than twelve months after such resignation. If any judge shall *offer or consent to be a candidate for any office under the government of the United States, such offer or consent shall be taken and considered a voluntary resignation of his office.*

"The state shall be divided into ten compact convenient circuits, which number of circuits shall not be increased within ten years after the adoption of this Constitution.

"For each circuit there shall be a *judge chosen by the qualified electors therein, who shall hold his office for the term of six years,* and until his successor shall be elected and qualified. When a vacancy shall happen in the office of Circuit Judge, within one year of the expiration of the term for which he was elected, such vacancy shall be filled by an appointment by the Governor: in all other cases of vacancy it shall be filled by an election. He shall receive, at stated times, an adequate compensation for his services, to be fixed by law, which shall not be diminished during the term for which he shall have been elected. After his election he shall reside and be a conservator of the peace in said circuit."

*The Circuit Court, as Court of Chancery shall have power to grant divorces in all cases prescribed by law;* to make such provision for the aggrieved party, and the custody, support and education of minor children, as shall be just and equitable.

*The Supreme Court and Circuit Court, shall exercise chancery jurisdiction, in such manner and under such restrictions, as shall be prescribed by law.*

Clerks of the County and Circuit Courts, and justices of the peace, are elective.

The day for electing Judicial Officers, and County Clerks, shall be distinct from the day for holding any other election in the state.

"Any judge of the Supreme or Circuit Court may be removed from office on the address of three-fifths of each house of the General Assembly to the Governor for that purpose: but each house shall state on its journal the cause for which it may desire the removal of such judge, and give him notice thereof, and he shall have the right to be heard in his defence, in such manner as the General Assembly shall direct: but no judge shall be removed for any cause for which he might have been impeached."

All fines and forfeitures that may accrue according to law, are to be added to the school fund.

"*The General Assembly shall have no power to pass any law whereby any debt shall be created, that shall cause the entire indebtedness of the state contracted under this Constitution, to exceed at any one time, twenty five thousand dollars,* except in cases of war, insurrection or invasion.

But the General Assembly may propose by a vote of a majority of all the members elected to both branches thereof, the creation of a debt for any specified purpose, which shall be submitted to the direct vote of the people at the next general election thereafter, and if approved by a majority of the qualified voters voting on such question, shall be of full force and effect; provided, that each proposition shall be for one object alone, and shall propose the ways and means, by taxation, for the payment of the debt and interest as they become due; and provided further, that no more than one proposition shall be submitted by any one session of the General Assembly, and that the debt proposed shall not have a longer time to run than twenty years.

"*No corporate body shall hereafter be created, renewed or extended with the privilege of making, issuing, or putting in circulation, any bill, check, ticket, certificate, promissory note or other paper, or the paper of any other bank, to circulate as money.*

"No corporation, except for political or municipal purposes, or for the purposes of education or charity, shall be created, unless the bill creating the same shall contain a provision that the charter of such corporation may be repealed and annulled by a majority of both Houses of the General Assembly. And the stockholders in all private corporations, except corporations for the purposes of education and of charity, shall be responsible, in their individual and private capacity, for all debts and liabilities of every kind, incurred by such incorporation. Nor shall any corporation be created for a longer period than twenty years; and no corporation shall exercise any privileges prohibited in the preceding section. And the state shall not be part owner of the stock or property belonging to any corporation. Nor shall the common school or seminary funds, nor any other funds or moneys which the state may, at any time, hold in trust for the citizens of this state, be placed in, or loaned to any bank, or other incorporated institution.

"The Legislature shall prohibit, by law, individuals and corporations, except the Bank of the State of Missouri, and its branches, from issuing bills, checks, tickets, promissory notes, or other paper to circulate as money. No lottery shall be authorized by this state, and the buying or selling of lottery tickets within this state is prohibited."

When, in speaking of the Constitution of Louisiana, we expressed our sense of its superiority over every other Constitution *in force*, of which we had any knowledge, of course our criticism bore no reference to that of Missouri, which had not yet been finally approved. If this instrument should ever receive the approbation of the people, for whom it was designed, it will, in

our judgment, constitute the most complete code of organic law which has yet been devised for the government of civil society. It contains several peculiarities, which, as the state becomes more populous and wealthy, will occasion trouble; it is obliged, likewise, to provide for the institution of slavery, which is not reconcilable with the most exalted civilization, and it contains no sufficient protection from the evils of executive patronage; but it nevertheless affords more efficient guaranties to individual rights, and leaves fewer opportunities for political corruption, and for intercepting the fair expression of the wishes of the people, than the Constitution of any other state in the Union. It will undoubtedly be approved; and we think Missouri may safely promise herself a career of prosperity and happiness, which her sister states may reasonably envy.

It is worthy of remark, that the four Constitutions which we have been considering, have the three following important particulars in common:—They all limit the official term of the Judiciary.

All provide for biennial sessions of the Legislature, and all impose civil disabilities upon the clergy. Of the two first we entirely and cordially approve. Of the last, we have before, in speaking of a like provision in the Constitution of New-York, expressed our regret that the sanctuary of our political faith should have ever given refuge to a principle of legislation so intolerant and so mean.

New Constitutions have been adopted recently in the States of Rhode Island and Florida, but neither of them present any peculiarities which, in the present stage of constitutional science among enlightened statesmen in this country, entitle it to analysis or study, except by those whose immediate duty it is to obey it. We will pass on, therefore, and notice as briefly as possible, the efforts which the Reformers are making in other states, to secure the valuable results of their political experience, by constitutional guaranties. The only states in which this movement has yet found utterance, are Maryland, Virginia, and New-York,—and in the Territory of Iowa, where a strong disposition exists among a very respectable class of citizens, to organize into a state, and to adopt a Constitution under the authority of Congress, granted for the purpose. The majority of the people, however, have rejected the offer to become a state, for reasons, of which we are either ignorant, or the force of which we are unable to appreciate, and a year or more will probably elapse, before the discussion now going on in the few journals of that territory will be likely to bring the subject to a head.

A few words now as to the four states above referred to.

*Maryland.*—The Constitution of this state has been repeatedly amended through the Legislature, but it has never been revised by the people since it was adopted, one month after the United States declared their Independence, August, 1776.

A Convention of Delegates, "to promote the cause of Constitutional *Reform and Retrenchment*," was held at Baltimore, on the 27th day of August, 1845, when a committee of ten gentlemen was appointed, to prepare an address to the people of Maryland upon the subject. The reforms called for in that address, doubtless, comprehend all for which the friends of the movement were particularly tenacious.

They are—1st. Limitation upon the debt-creating power of the state, "So that no public debt should be created, except on notice of the objects to which it is to be appropriated, *and upon a pledge of specific revenues*, for its punctual payment."*

2. The imposition of a constitutional check on *all retrospective* and special legislation, on the ground that the value of all rights consists in their certainty; and that, in many instances, a change of the remedy is as material as a change of the right; and that it should not be permitted to the Legislature, except upon terms which would make their interposition fair and just, to unsettle by hasty laws vested rights, or to afford a remedy which would prevent their full enjoyment.

* If the Maryland reformers would acquaint themselves with the history of public debt in the state of New-York for ten years past, and examine the policy of the "people's resolutions," they would perceive the inadequacy of the restriction they propose.

3. Biennial, instead of annual sessions of the Legislature.

4. A reduction of the number of the Legislature, and a limitation of the term of senatorial service to four years.

5. A reduction of the pay now allowed to the Legislature and to the Governor.

6. The abolition of the office of Secretary of State, and a provision by law for the salary of a *Clerk* to the Governor.

7. A new distribution of Chancery jurisdiction, whereby, among other things, the services of the Chancellor should be dispensed with.

8. The reduction of Executive patronage, and election of county officers by the people, &c.

We may add, though it does not appear among the grievances set forth in the report of the committee,

9. Equalization of the representation, on a mixed basis of property and population.

Several bills were introduced into the Maryland Legislature during its late session, for the purpose of ascertaining the sense of the people upon the propriety of calling a Convention. The question finally came up for debate in the House of Delegates on the 18th of February last, and was discussed daily and with considerable ability, until the following Thursday. The prominent objection taken to the measure was, that the old Constitution provided a mode for its amendment through the aid of the Legislature, and that the latter body had not the power to submit the question directly to the people.*

Another objection was, that the Reformers wished to place the representation entirely upon the basis of population, whereby the city of Baltimore, and that portion of the state in which it lies, it was feared would have an undue proportion of political power.

It was likewise maintained that there were no grievances existing which justified them in incurring the expense of a Convention, while they were so poor that they could with difficulty maintain the pecuniary credit of the state.

The question was brought to a vote on Thursday, the 5th day of March last, and the bill was passed by a tie vote, 39 to 39.†

The measure will doubtless be carried at the next session of the Legisla-

* The same objection was taken by the opponents to Constitutional Reform in the state of New-York; and we regret to say, that even some of our Democratic friends felt that the people were subject to the Legislature on this question. Among the members, was the present Secretary of State, Mr. Benton, who, in the columns of a daily journal, elaborately maintained the impotence of the people to reach the defects of their Constitution, except by the favor of the successive legislatures, and even felt it his duty to withdraw his patronage from this magazine solely because of our having advocated the call of a Convention, as the most proper and only adequate agency for effecting reforms in our Constitution, which were admitted to be necessary.

† The inequality and unfairness of the present rate of representation may be inferred from the following tables, showing the vote in the House of Delegates on the question of a Convention, the white population, and the amount of direct taxation represented by each delegation, &c.:

| YEAS. | | | NAYS. | | |
|---|---|---|---|---|---|
| *Counties.* | *White Popula.* | *Direct tax.* | *Counties.* | *White Popula.* | *Direct tax.* |
| Baltimore city | 81,117 | $140,067 | Prince George's | 7,820 | $93,699 |
| Baltimore | 24,184 | 33,678 | St. Mary's | 6,070 | 10,408 |
| Frederick | 29,973 | 43,807 | Dorchester | 10,670 | 10,094 |
| Talbot | 6,063 | 11,758 | Queen Ann's | 6,139 | 10,049 |
| Cecil | 13,329 | 11,938 | Kent | 5,616 | 9,043 |
| Harford | 12,041 | 11,372 | Charles | 6,022 | 9,312 |
| Allegany | 14,663 | 10,060 | Worcester | 11,765 | 8,714 |
| Washington, 3 memb. | 14,841 | 18,340 | Somerset | 11,845 | 8,312 |
| Ann Arundle. 3 do. | 8,780 | 3,994 | Calvert | 3,585 | 5,031 |
| Carroll, 2 do. | 7,610 | 8,191 | Caroline | 5,336 | 3,679 |
| Montgomery, 2 do. | 4,139 | 6,271 | Washington, 2 mem. | 9,894 | 12,927 |
| | | | A. Arundle. 2 do. | 5,846 | 5,950 |
| | 215,636 | $303,296 | Carroll, 2 do. | 7,610 | 8,091 |
| | 101,990 | 131,963 | Montgomery, 2 do. | 4,139 | 6,271 |
| | 114,740 | $172,033 | | 101,990 | $131,963 |
| | 101,990 | 131,963 | | | |
| | 12,750 | $40,770 | | | |

By this it will be seen, that those voting in favor of the measure represent a majority of the white population of the state of 114,750, or 12,740 more than 2 to 1, and a greater amount of taxation by $172,033 (or $40,770 more than twice as much) than those members who voted against it. This outrageous misrepresentation in the Legislature would be a sufficient case to go to the people upon a Convention, without any other grievance.

ture, for none of the grounds which are taken by the opponents of the Convention are such as the people of any state in the Union would either sustain or respect.

It is proper for us to add, that the power of the state is at present in the hands of the Whigs, which gives abundant scope for crimination and recrimination, as to the motives of reform by which the respective parties are actuated.

*Virginia.*—The present Constitution of this state was adopted in the year 1830. There is a general disposition among the people to have it revised in Convention, but a serious difference of opinion has arisen in attempting to determine the basis of representation upon which the delegates to the Convention shall be chosen. Under the present Constitution slaves are represented as property, whereby the eastern portion of Virginia has a majority of delegates in the Legislature, and the substantial control of its policy. The people in this section of the state are unwilling to part with this advantage, for obvious reasons, and therefore insist, that the same basis of representation shall be adopted in the selection of delegates to the Convention. A bill was presented to the House of Delegates during the last winter, designed to ascertain whether the people wished a Convention, and containing this provision for the selection of delegates on the accustomed mixed basis of property and population,—which the western Virginians of course resented, and tried to amend by confining the basis of representation to the white population.

The question at issue between the two parties is not new to the political history of the country; but the principle by which it is to be determined is exceedingly recondite, and the wisest statesmen might differ upon it. Its merits, however, cannot be understood without a fuller statement of the facts in which it is involved. It seems that the present House of Delegates consists of 134 members, elected from the four Grand Districts of the state. The Great Western Division of the state, embracing two of these districts, and including all the counties west of the Blue Ridge, elects 56 delegates, and the Great Eastern Division, including all the counties, cities, towns and boroughs east of the Blue Ridge, elects 78 delegates.

In 1845, there were 183,436 free white titheables in the state, distributed as follows: in the Western Division, 93,791, in the Eastern Division, 89,645. Upon the principles of equality throughout the state, every 1368 of the titheables would be entitled to elect a delegate; consequently the Western division would be entitled to 69 delegates, and the Eastern to only 65, giving the former a majority of 4, to which they say they are fairly entitled by the theory of their government and their bill of rights. If, on the other hand, the selection be made on the basis adopted in the bill, the Western Division having 93,791 titheable, and being entitled to 56 delegates, would give 1674 titheables to each delegate, while the Eastern Division having 89,645 titheable, and being entitled to 78 delegates, would give but 1148 titheables to each delegate. Taking this sum of 1148 as the average constituency for each delegate, it would leave according to the present number of delegates, over 30,000 titheables unrepresented in the Convention, by which Western Virginia would chiefly suffer. To escape from this inevitable minority, the Western Virginians ask a Convention to be chosen upon the *basis of the free white population.*

On the other hand it is alleged, that the total population east of the mountains, negroes included, is 806,942—west, 432,855, or about half. The slaves in the east number 395,250, in the west but 53,737.

Again, the joint value of land and slaves in the east, is $229,000,000, in the west but 96,000,000.

Again, the total revenue taxes of the state, are $806,907, of which the east pays $426,493, and the west pays $182,412.

Again, the east pays into the treasury $1,15, for each white person, the west but 49 cents.

Each eastern delegate represents in value of lands and slaves, $2,945,000, each western but 1,718,000.

Again, the theory of slave representation is established by the Constitution of the United States, and is accepted by every southern state. By virtue of slave representation alone, Virginia

sends ten and a half members to Congress. The slave holding states send in the aggregate 21 representatives of slaves to Congress—being one third of all their representation, and without which the northern states would more than double them in Congress.

Again, not one of the original thirteen states has ever adopted the basis of representation insisted upon, of *free white inhabitants.*

Again, the east contains a colored population, including free negroes, of over 400,000, constituting a majority of 69,000 over the whites. While in the west, the whites are 7 to 1. The latter might, through ignorance or indifference, fail to provide adequate police regulations and securities for the safety of the east.

Under all these circumstances the eastern delegate maintained that the universal practice of slave holding states to avail themselves of the privilege of slave representation at Washington, constituted a justification; and the necessity of providing for the security of their constituents, made it their duty, to retain their control as long as possible over the legislative power of the state, and to resist any plan of representation in Convention by which property was not represented.

Such are some of the facts which are interwoven with this very embarrassing question of property representation in a slave holding community. There are other changes in the Constitution, which will doubtless be considered if a Convention should be called —among them, would be a reorganization of the judiciary, the abolition of the county courts, the election of ministerial officers by the people, and a clearer definition of the right of suffrage, &c.; but all these are esteemed secondary to the all-absorbing question of representation. The minority of the committee who reported the substitute to the original bill, state that "the gross inequality of representation is the evil mainly complained of; all others are merely collateral and incidental; remove this, and all the rest as naturally fall into the channel of reformation, as the shadow follows the substance;" and they conclude "that the only proper and safe element out of which a Republican Government can be formed, and upon which it can rightfully be based, is the *free white population* of the community."

The points of difference between the two parties were discussed with masterly ability in the House of Delegates, and the question was finally brought to a vote on the 16th February last, and was disposed of on a motion for indefinite postponement by a vote of 63 to 53, the west preferring no Convention to one elected upon the mixed basis. The west will probably have to yield this point, for the present at least, unless the east should divide with itself upon some question of equal importance, with that which divides them now from the west, which is not likely. The two parties at present stand in a very awkward relation to each other, and we beg to assure them that they are their own worst enemies, in permitting such a state of feeling to continue.

We must avail ourselves of another opportunity to present a sketch of the history and prospects of the late Constitutional Reform movement in the State of New-York.

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## SONGS OF LABOR.—No. IV.

### THE SHIP-BUILDERS.

The sky is ruddy in the East,
The earth is gray below,
And, spectral in the river-mist
Our bare, white timbers show.
Up!—let the sounds of measured stroke
And grating saw begin:
The broad-axe to the gnarled oak,
The mallet to the pin!

Hark!—roars the bellows, blast on blast,
The sooty smithy jars,
And fire-sparks rising far and fast
Are fading with the stars.
All day for us the smith shall stand
Beside that flashing forge;
All day for us his heavy hand
The groaning anvil scourge.

Gee up!—Gee ho!—The panting team
For us is toiling near;
For us the raftsmen down the stream
Their island-barges steer.
Rings out for us the axe-man's stroke
In forests old and still,—
For us the century-circled oak
Falls crashing down his hill.

Up!—up!—in nobler toil than ours
No craftsmen bear a part:
We make of Nature's giant powers
The slaves of human Art.
Lay rib to rib and beam to beam,
And drive the trunnels free;
Nor faithless joint nor yawning seam
Shall tempt the searching sea!

Where'er the keel of our good ship
The sea's rough field shall plough—
Where'er her tossing spars shall drip
With salt-spray caught below—
That ship must heed her master's beck,
Her helm obey his hand,
And seamen tread her reeling deck
As if they trod the land.

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Her oaken ribs the vulture-beak
Of Northern ice may peel—
The sunken rock and coral peak
May grate along her keel:
And know we well the painted shell
We give to wind and wave,
Must float, the sailor's citadel,
Or sink, the sailor's grave!

Ho!—strike away the bars and blocks,
And set the good ship free!
Why lingers on these dusty rocks
The young bride of the sea?
Look!—how she moves adown the grooves
In graceful beauty now!
How lowly on the breast she loves
Sinks down her virgin prow!

God bless her, wheresoe'er the breeze
Her snowy wing shall fan,
Aside the frozen Hebrides
Or sultry Hindostan!—
Where'er, in mart or on the main,
With peaceful flag unfurled,
She helps to wind the silken chain
Of Commerce round the world!

Speed on the ship!—But let her bear
No merchandize of sin,
No groaning cargo of despair
Her roomy hold within.
No Lethean drug for Eastern lands,
Nor poison draught for ours,
But honest fruits of toiling hands
And Nature's sun and showers.

Be her's the Prairie's golden grain,
The Desert's golden sand,
The clustered fruits of sunny Spain,
The spice of Morning-land!
Her pathway on the open main
May blessings follow free,
And glad hearts welcome back again
Her white sails from the sea!

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# THE OLD ENGLISH PULPIT.

[As an appropriate pendant to an article on Preaching, July, 1845, we subjoin the following characters of the greatest masters of the old English pulpit—Taylor, Barrow, Tillotson, and South.]

A POET should be the critic of Jeremy Taylor, for he was one himself, and hence needs a poetic mind for his interpreter and eulogist. Bald criticism becomes still more barren, (by contrast,) when exercised on the flowery genius of the prince of pulpit orators. Taylor thought in pictures, and his ideas were shadowed out in lovely images of beauty. His fancy colored his understanding, which rather painted elaborate metaphors, "long drawn out," than analyzed the complexity of a problem, or conducted the discussion of a topic, by logical processes. The material world furnished his stock of similes. He drew on it for illustrations, rather than seek them in the workings of his own mind. His descriptions are almost palpable. They have an air of reality. His landscape is enveloped in a warm and glowing atmosphere; his light is "from heaven." His style is rich and luxuriant. He is all grace, beauty, melody. He does not appear so anxious to get at the result of an argument, to fix the certainty of a proposition, as to give the finest coloring to a received sentiment. He is more descriptive and less speculative. He reposes on the lap of beauty. He revels in her creations. The thirst of his soul was for the beautiful. This was with him almost synonymous with the good—"the first good and the first fair." Is it not so? Is not the highest truth the highest form of beauty? Our common idea of beauty is more sensual and tinged with earthliness. But the platonic and spiritual conception is nobler and truer.

There was a period when the volumes of Taylor lay comparatively neglected: when the Blair taste was dominant. This sensible but cold critic does not even refer to Taylor in his lecture on pulpit eloquence. The present race of critics, unlike Blair, are for elevating Taylor as the very first of orators. Of pulpit orators, he is, indeed, the Chrysostom; but Burke holds the first, the highest place of all orators. With the poet's imagination, he had also the logician's art, and the deep reflection of the philosopher. Burke had less multifarious acquisition, and his intellect worked all the better. Taylor had a vast quantity of useless learning, which had the ill effect of inducing a certain laxity of belief. I mean laxity in a good sense. He was too credulous. His faith, as well as his memory, was equally tenacious of all statements, whether well or ill-founded. Bishop Heber notices this individual characteristic of Taylor in his life.

Undoubtedly, Taylor is a first rate genius of the descriptive kind. His strength lay in that; and his range, too, was universal. He painted every scene and every varying phase of any one. He is Claude, Rubens, Rembrandt and Raphael combined. He unites softness, richness, depth of shadow, and pure beauty.

Taylor has been called the "Shakspeare of Divinity"—a parallel that requires some limitation. If, by this, it be meant, that, compared with other preachers, he had a richer fancy, greater copiousness of poetic sentiment, and an unequalled profusion of beautiful metaphor, the praise is just; but if it be intended to express, that, like Shakspeare, he was gifted with an union of wonderful and various powers, almost superhuman, the criticism is extravagant, if not absurd. For, in his printed works, we can find not a gleam of wit or humor—scarcely any talent for portrait-painting — no profound depth of reflection—no nice observation of real life. We say this with no intention of undervaluing Taylor; but only to show the folly of any close comparison between him and Shakspearer. We would rather say, Taylor was the

Spencer of Divinity. In a former criticism, we have called Temple a sort of prose Spencer. This phrase would apply with much greater force to Taylor, who was really a poet in prose. With Spencer, Taylor is eminently a descriptive writer. His imagination is pictorial; and although without the allegory of Spencer, he has the same bland amenity of sentiment—the same untiring particularity of description—the same angelic purity of thought—the same harmonious structure of composition.

Taylor as the painter: inferior to Barrow in point of reason, and to Clarke in reasoning: without a tithe of South's wit or epigrammatic smartness; less ingenious than Donne: he has a fancy and style far more beautiful than any prose writer before his time, and perhaps since. It has been called "unmeasured poetry." The Edinburgh Review and Coleridge, (critics wide apart) have joined in pronouncing his writings more truly poetic than most of the odes and epics that have been produced in Europe since his day. And Hazlitt, (surest critic of all,) quotes a fine passage from a poem of Beaumont, which is apparently a translation of Taylor's prose into verse, and made, too, merely by occasional transposition of the words from the order in which they originally stood. Taylor is, therefore, confessedly a master of poetical prose. This term is sometimes used by way of dubious praise, since most writing of the kind is a wretched farrago of such tinsel and faded ornaments as would disgrace rag fair. Taylor's composition is of quite a different grain. His style is naturally poetic from the character of his mind; he had that poetic sensibility of feeling that saw beauty and deep meaning in every thing. His imagination-colored the commonest object on which it lighted, as the bow of promise throws its tints over all creation: through this, as a veil, every object appeared bright and blooming like the flowers of spring, or dark and terrible like the thunder-cloud of summer. Its general hue was mild and gentle; he had a more genial feeling for beauty than for grandeur; though his awful description of the Last Judgment is stamped with the sublime force of Michael Angelo, or rather, like Rembrandt's shadows, terrible with excess of gloom. In this grand picture are collected all the images of terror and dismay, fused into a powerful whole by his so potent art. It is first a solemn anthem—a version of the monkish canticle; then you hear, (in imagination,) the deep bass note of the last thunder that shall ever peal through the sky. You are almost blinded by the lightnings that gleam in his style. Presently, a horrid shriek of despair, (the accumulated wailing of millions of evil spirits) rises on the affrighted ear. And anon, the trumpet with a silver sound is blown several times, and all is still. With what a subtle power this master plays on the conscience of his readers! He makes the boldest tremble; he magnifies, he reiterates, until the best of men shall think himself a fellow of the vilest!

Such, however, is not a scene congenial to Taylor's temper. In his description he most affects the tender and pathetic notes of humanity. He plays admirably on every chord of passion, but on some much oftener and more artfully than on others. He is both "a son of thunder and a son of consolation." With all his power of terrifying the soul, he most loves to entreat its gratitude to God and the practice of religion. He takes delight in painting the innocence of childhood, the purity of virgins, the sacred mystery of marriage, the gentle voice of pity, the mercy of our Father, the love of his Son.

His landscape is oftener quiet and in repose, than savage or deserted. His favorite breezes are rather zephyrs, than

> The wind Euroclydon—
> The storm wind.

His florid genius, like his sweet disposition, delighted in heavenly lays, and doubtless his piety was not a little the offspring of his temperament and genius.

Taylor, in his pictures, further resembled Spencer in the prolixity of his style—dwelling on minute points and carefully finishing every trait. He had none of Milton's concise force, that painted a picture by an epithet or a line. If Taylor had the building of Pandemonium, he would have occupied six times the space Milton took for its construction. Milton made it to "rise like an exhalation;" Taylor would

have expanded the line into a page, where each member of the sentence would have formed a series of steps leading from the foundation to the dome of the Infernal Hall.

It may be proper here to notice a peculiarity of Taylor's illustration,—they are almost always for ornament; he does not employ a simile to clench his argument; he does not make even his fancy logical; but describes and paints for the pleasure of the picture. His similes, so delightful in the reading, must have been intolerably long for delivery. Public speaking requires greater compactness of mind than Taylor possessed, and yet we hear of his wonderful success, which was not slightly heightened by a beautiful person, a face "like an angel," and an elocution that ravished all hearers with its swelling cadences and sweet intonations.

Taylor, in his frequent and curious quotations, is almost a Burton. A reason for this deference to foreign testimony may be gathered from the fact of the respect for authority cherished by the early divines. Just loosed from the Church of Rome, it was but natural they should cling to the first vouchers of the truth, the primitive defenders of the faith. Modern free-thinking and the fashionable doctrine of independency of opinion had not yet made those morning stars of the church to rely too completely on their own internal light —they rather reflected and gave back the light from above.

There is an eloquence of the reason as well as of the imagination and of the affections. Perhaps it is more firmly based than either, and produces in the end the surest effects. It is less captivating than the descriptive eloquence of Taylor: it has less hold on the taste than the sentimental passages of Rousseau or Hazlitt, less touching than the pathos of Sterne or Mackenzie, less brilliant than the declamation of Burke or Macauley: but it is anchored in truth; it is founded in reality; it convinces the understanding. Finally, all eloquence must come to this. We may be captivated by the glittering flashes of a copious fancy, and charmed, for an hour, by the attractive graces of elocution and manner; but the only true eloquence is that which is always such, which equally interests a future age and a foreign nation, and which is the pure essence of the noblest reason, couched in the clearest, the most forcible and the richest expression. Those brilliant contemporary speakers, of whom we have only a traditional knowledge, such as Dean Kirwan, Patrick Henry and Emmett, are rather to be regarded as consummate actors than solid orators.

To give the praise of finished oratory to the sermons of Barrow would be an extravagance of eulogy; and yet his fame is great, and his sermons most able. He possesses the utmost fullness (this side of extravagance) in point of thought and expression; yet we can hardly say as much of his style and manner. The characteristic trait of Barrow is his power of exhaustive analysis. He is a perfect mental chemist, analyzing every topic into as many parts as it is composed of, and *precipitating* (so to speak) all the falsehood in it, leaving a clear solution of truth. Our divine is one of the most liberal-minded of men. He has a wide range of thought, and mines, as it were, in the very depths of his argument. He gives you every side of every subject he handles. He knows all the false appearances sophistry may be made to wear, as disguises of the truth. He is thoroughly informed of all the bearings of his subject, and leaves no part of it untouched. Though without imagination, Barrow had such a fertility of intellect, (so well cultivated was the soil,) as to appear almost possessing invention in the way of topics and illustration. The secret of his invention lay in long and severe study, aided by a capacious and powerful and ready memory.

Reason was the master faculty of Barrow's mind. He seems to have had but little fancy—no imagination; not much of an eye for nature—no humor —hardly anything like delicacy of sentiment. His understanding was a robust, hard-working faculty. His analysis was very acute and thorough—his logic exceeding close, searching and patient. He had much and varied erudition, and a memory that was not crushed by the weight of it. This is an argument for the original force of Barrow, as well as for most of the great old prose writers, that their learning was not too much for them. No foreign acquisitions could obscure the clear light of their own reason: learning served them for evidence, for illustra-

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tion. But they never confounded knowledge and wisdom, and knew as well as the old dramatists, their grand compeers, that

"The heart
May give an useful lesson to the head."

Hence, without vanity, they relied more on themselves than most scholars, who are too often mere pedants.

It is worthy of remark that most of Barrow's sermons are rather moral dissertations, than what we would call, at the present day, evangelical discourses. Leclerc and Mr. Hallam have both remarked this feature in Barrow's sermons. Barrow comes nearer to a teacher of moral philosophy, than the ordinary standard of modern preaching will allow. It was his practice to write a series of sermons on certain topics of practical ethics, (none the less Christian, though some would have us think so;) thus, he has four sermons on industry, eight on the tongue, &c., &c. He seldom wrote less than two, and frequently three, on a single text. These are complete moral treatises. Though, in one sense, this may be considered a defect, yet in our view, (perhaps mistaken,) it is a merit. Preaching too often departs from the themes of daily importance—the offices of familiar duty. Most congregations require to be taught their moral, as well as their religious duties, (both parts of the same great scheme, and essentially one.) We have never heard the orthodoxy of Barrow questioned, and yet it is certain he is more of a moral teacher than an Evangelical Divine.

There is a palpable defect in Barrow. He is uniformly copious. He is often tedious. He is too apt to discuss a trite theme, with all the exuberance of power he employs on one more obscure and less familiar. Moreover, he is interminable. Many laughable anecdotes are related of his power of continuance. Once at a charity sermon, he detained the audience by a discourse of three hours and a half in length. In coming down from the pulpit, and being asked if he did not feel tired, he replied that "he began to be weary with standing so long." It must have been as wearisome for the audience (we should imagine) to sit still that space of time, unless the church was a dark one, the cushions soft, and the pews high. On another occasion, being reminded that the congregation at the Abbey liked short sermons, he was prevailed on (with much ado) to preach but one half of his original sermon, and that occupied an hour and a half.

With these defects, however, that must have rendered him, to light hearers of the Word, a rather tiresome preacher, he is still a right, sturdy, manly intellect of the true English breed.

This intellectual robustness was joined to great strength of moral purpose and determined physical courage. Of this last quality two remarkable instances occur to us. Being attacked at night by a powerful mastiff, he grappled with the animal, and almost choked him, before any assistance came. At sea, in the Mediterranean, the vessel in which he happened to be embarked was attacked by an Algerine corsair. Barrow could not be prevailed on to go below, but fought like a brave fellow with the rest of the crew.

These traits of character cannot fail to impress us with the opinion of high respect for Barrow's force and energy.

Though no wit, to be sure, in his sermons, unless a strong sense of propriety and the absence of it can be termed wit, yet he gave Rochester one day a notable reproof, and foiled that courtly wit at his own weapons. Yet Barrow penned a definition of wit, amounting to an essay, which is a miracle of ingenuity of distinctions and richness of expression.

Charles II. used to call Barrow "an unfair preacher," for he left nothing for future preachers to glean—unless he might have added, to make pretty free use of the labors of their predecessors.

Lord Chatham enjoined on his son the constant study of Barrow, and Pitt declared he had his sermons almost by heart.

Barrow had great versatility of acquisition and performance; at different periods he was Greek and Mathematical Professor at Cambridge, and in the latter chair he was the immediate predecessor of Sir Isaac Newton.

To show the common injudiciousness of parents in estimating the talents of their children, the father of Barrow is said to have exclaimed, "if it pleased God to take away any of his children, he hoped it would be Isaak," regarding

him as a miracle of stupidity, who afterwards proved the glory of his family.

Tillotson succeeds Barrow naturally, in our list of old English divines, not only in point of time, but from the fact of being his literary executor. Barrow, dying, left all his manuscripts to the care of the archbishop, who became his editor.

At present, we intend presenting an array of criticisms from various hands; some of them the contemporaries of our author, and others living soon after: Mr. Hallam being the only living authority we shall quote.

Dryden used to say, that if he had any talent for English prose, it was owing to a frequent perusal of Tillotson.

Addison thought once of compiling a dictionary for authorities, in which he had marked more passages in Tillotson than in any other writer.

Melmoth, the most ingenious translator of Pliny and Cicero, gives a very different judgment—himself a finished scholar and elegant author. He thinks "no man ever had less pretensions to eloquence than this celebrated preacher!" And he proceeds to particularize several remarkable defects, especially a want of harmony and musical structure of sentences.

Warburton hits the mark with greater nicety. Observe, there is no generalizing in his sentence, but clearness, accuracy, and a happy moderation.

"Tillotson," says he, "was certainly a virtuous, pious, humane and moderate man, which last quality was a kind of rarity in those times. I think the sermons published in his life-time are fine moral discourses. They have, indeed, the character of their author—simple, elegant, candid, clear and rational,—no orator, in the Greek and Latin sense of the word, like Taylor, nor a discourser in their sense like Barrow; free from their irregularities, but not able to reach their heights. You cannot sleep with Taylor; you cannot forbear thinking with Barrow; but you may be much at your ease in the midst of a long lecture from Tillotson, clear and rational, and equable as he is. Perhaps the last quality may account for it." To our mind, most satisfactorily does it account. He surely can be no orator, with whom "we may be much at ease." Even the soft flow of Mackenzie or Fenelon cannot fail to move, if ever so gently, the heart. But the passions are roused, the affections melted; we are fired with indignation, or dissolve with soft pity, at the tones and phrases of genuine eloquence. The true orator excites the whole soul, and with him we cannot sleep. We may doze with the sensible expounder, or sleep outright with the text-splitter; but it is beyond mortal powers of endurance to sit calm, when the Word is preached with effect and with power. We dare say there were no drowsy heads in Luther's congregations, nor could the most plethoric man easily sleep under the ministry of Whitfield.

Blair's opinion is as follows, the very reverse of Melmoth's: "Archbishop Tillotson's manner is more free and warm, and he approaches nearer than most of the English divines to the character of popular speaking; hence he is, to-day, one of the best models we have for preaching. We must not, indeed, consider him in the light of a perfect orator; his composition is too loose and remiss; his style too feeble, and frequently too flat to deserve that high character; but there is in some of his sermons so much warmth and earnestness, and through them all there runs so much ease and perspicuity, such a vein of good sense and sincere piety, as justly entitle him to be held as eminent a preacher as England has produced." To this, we would only beg to inquire, if the polished critic had ever seen the sermons of Jeremy Taylor and Robert South? In effect, he gives Tillotson no higher praise than Warburton. When he particularizes, he finds none but respectable qualities in him; but when he generalizes, these second-rate powers rise into first-rate faculties.

We conclude our quotations with a paragraph from Mr. Hallam's great work. "The sermons of Tillotson were, for half a century, more read than any in our language. They are now bought for waste paper, and hardly read at all. Such is the fickleness of religious taste, as abundantly numerous instances would prove. Tillotson is reckoned verbose and languid. He has not the former defect in nearly so great a degree as some of his eminent predecessors; but there is certainly little vigor or vivacity in his style."

The witty Doctor South realized the

ideal of a Court Preacher. His conscience was as pliable as his repartee was ready, and could as easily accommodate itself to time and occasion. Anthony à Wood is the best authority we have for the account of South's life and character, and he wrote of both with considerable bitterness. The reason of this sprung out of a sharp retort, or rather a piece of impertinent smartness which the witty divine conveyed to the Historian of Oxford in answer to the complaint of Anthony as to a particular physical evil with which he was annoyed. The story is briefly related in the "General Biographical Dictionary."

According to the above relation, South was a perfect Vicar of Bray. First he was an Independent, and one of the rankest of that radical party; he next became a Presbyterian, moderating his zeal, as the sect of Independents began to lose ground, and inveighing against them "with all the malice of a fiend." His third transformation was into a High Church-of-England-man, after the death of Cromwell, and at the restoration of Charles; and finally, we hear of him as chaplain to James II., who was as genuine a Catholic in his heart as ever lived.

At all times he evinced towards the party he had just left the basest ingratitude, and a bantering, or rather contemptuous and malicious humor. He never, through life, forgot what he had acquired at Westminster; "where (says Wood) he obtained a considerable stock of grammar and philosophical knowledge, but more of impertinence and sauciness."

A writer of his life, whom the General Biographical Dictionary politely styles, "the fanatic," relates with evident complacency two remarkable judgments, (as he considers them,) upon the false-hearted and worldly Churchman. On two different occasions, when bitterly abusing the sects he had just deserted, he was seized with a sudden fit, large beads of sweat stood on his forehead, and his utterance failed him. The second occurrence of this qualm happened just after he had been appointed chaplain to Lord Clarendon, and when preaching before the Court.

We have looked through Clarendon, who has, in his history, drawn the portrait of almost every man of eminence of his time, in vain, for the character of South. At that time a royalist and High Churchman, beside being the favorite preacher, South should shine in brilliant colors among the rich portraits of Clarendon. At the same time the penetrating glances of Clarendon could have easily disclosed the private meanness of this brilliant man.

Apart from his forcible eloquence and his genuine wit, South was more especially the favorite of the Court of Charles II., from the unblushing ridicule with which he assaulted his old associates, the Presbyterian party. In this respect he resembled Butler, by the means of obtaining a dazzling reputation; though in point of worldly prosperity, he lived like a prince, while the comic poet starved. South is a prose Butler, in miniature, and may even approve himself almost the equal of the author of Hudibras, by the make-weight of sharp and weighty eloquence he can throw into the scale. He was a great orator, as well as a caustic wit, and an able scholar. An orator, too, of that popular make, just fitted for his courtly audience. His eloquence is a mixture of practical shrewdness and biting satire, with classical allusion, and a perfectly pure style. Of all the old divines, South is the most direct and clear. His intellectual powers were complete. Unincumbered by the exhaustless fancy of Taylor or the copious Barrow, he had a fine perception of the proper and the right; a solid judgment, and a nimble, quick-witted fancy. If his fancy was not as high, (and it certainly was not) as Taylor's, yet when he did rise to lofty declamation, it was concentrated and condensed. His style would have suited almost equally well the bar or the senate. He has less of the mere divine in his sermons than of the philosopher and orator; and the noblest passages in his noblest sermons would have come with propriety from Bacon or Burke.

South's wit is so frequently referred to, that his eloquence is apt to be forgotten; but let any one read the second sermon (just referred to) in the first volume of his works, and they cannot help confessing him to have been a master. We forbear quoting long passages of fine declamation, to make room for a few examples of his keen satirical turn. In his sermon on the "Chris-

tian Pentecost," he says of those who loved preaching better than any other part of the church service, (a remnant of Presbyterianism,) and which he stigmatises as a sort of itch: "I cannot see but the itch in the ear is as bad a distemper as in any other part of the body, and perhaps worse." In the same sermon he has a cutting tirade on the Independents: "But amongst those of the late reforming age, all learning was utterly cried down. So that with them, the best preachers were such as could not read, and the ablest divines such as could not write. In all their preachments, they so highly pretended to the spirit, that they could hardly as much as spell the letter. To be blind was to be with them the proper qualification of a spiritual guide, and to be book-learned, as they called it, and to be irreligious, were almost terms convertible. None were thought fit for the ministry but tradesmen and mechanics, because none else were thought to have the spirit. Those only were accounted like St. Paul, who could work with their hands, and in a literal sense, drive the nail home, and be able to make a pulpit before they preached in it." This is almost as good as Butler in Hudibras, on the same worthies, and as pointed as any thing in the "Tale of a Tub." In the sermon on the text—"Her ways are ways of pleasantness, and all her paths are peace," occurs this strong contrast:

"How vastly disproportionate are the pleasures of the eating and the thinking man! Indeed, as different as the silence of an Archimedes in the study of a problem, and the stillness of a sow at her wash." Farther on he speaks of "the absurd austerities, so much prized and exercised by some of the Romish profession: "Pilgrimages, going barefoot, hair white, and whips with all such *Gospel artillery*, are their only helps to devotion . . . It seems that, with them, a man sometimes cannot be a penitent, unless he also turns vagabond, and roots it to Jerusalem. . . Thus, what was Cain's curse becomes their religion." In ridiculing their senseless scourgings, he infers that they regarded such self-punishments to be means of grace; adding, with fine irony, "The truth is, if men's religion lies no deeper than their skin, it is possible they may scourge themselves into very great improvements." In the preface to a sermon preached at the consecration of a chapel, 1667, he has another hit at his quandam friends, and refers to "a miraculous revolution reducing many from the head of a triumphant rebellion to their old condition of masons, smiths and carpenters, that in this capacity they might repair what, as colonels and captains, they had ruined and defaced."

South was unquestionably the wit of the English church before Swift. Dr. Eachard, in his book on the causes of the contempt into which the clergy had fallen, and Earle, in his characters, had displayed admirable satirical powers. But among the preachers, this quality had not yet become conspicuous. Perhaps the propriety of a professed wit in the pulpit may be doubted; not that a very good man may not be a shining wit, but the presumption is, that he who indulges a comic fancy on sacred themes, who (unnecessarily) jeers at the follies of mankind, not their vices, is hardly the proper guide and director of his people. Earnestness and sincerity are the peculiar traits of the good divine, and these may be sacrificed to the love of display, and the applause of a crowd.

We have spoken of South in the same sentence with Swift. There was nothing of a moral likeness between them; as men, they were both worldly and ambitious; though South had far more of the time-server in him than the manly Dean of St. Patrick. They were both men of genuine wit,—that which delighted in sharp, pungent satire. They were both smart and neat, even in their ordinary style of composition. South had an eloquence to which Swift could offer no pretensions; yet Swift had invention and creative humor. South was more fortunate in his patrons; Swift happier in his friendships. Of the private life of South we know little; of the domestic history of Swift we know too much to his disadvantage. But when we speak of them as wits and great writers, we have nothing to add but unqualified praise.

In a succeeding paper we hope to continue this noble list, including certain of the earlier divines we have omitted to mention, down to the time of the philosophical Queen Caroline.

## THE OLD SCHOOL-HOUSE.

It stands by the way-side, beneath an old tree,
Where I frolicked in childhood, light-hearted and free;
'Tis rude and time-worn, and the weather-stained door
Is carved with deep crosses, and marked o'er and o'er
With drawings and names, by childish hands traced,—
Here, a part of a man, with the head quite effaced,
But with shape and proportion ne'er intended by nature,
The body a child's, but a giant in stature.
The half-open door to my view has disclosed
The benches and desks still standing in rows,
All duly notched, where some idle boy sat,
And worn smooth where his elbows rubbed this way and that—
The desk of the master, his inkstand and rule,
Where he set all the copies while he eyed the whole school
On the desk close beside, where the ferule is laid,
Confiscated apples and tops are displayed;
Unchanged do they seem, and still standing there,
Are the pail and tin cup, and the master's arm chair:
And still in the centre, all eaten with rust,
The old stove and it's pipe, thickly covered with dust,
On three legs is resting, the fourth, broke and gone,
Is supplied by a brick for its weight to rest on;
The papers and ashes lie scattered about,
The bits of old pens with the feathers notched out,
The marks on the wall, the ink on the floor,—
E'en the smoke on the ceiling 's the same as of yore.
Hark! the voice of the child, thro' the half-open door,
Who cons, in faint treble, his dull lesson o'er,
And the other, who yawns with his arms o'er his head,
And sighs as he wishes his lesson was said;
Still deeper and longer, and more weary his sighs,
When he turns to the window his sleepy grey eyes,
And sees in the field the lambs skipping at play,
And envies their freedom this sweet summer day,
And believes in his heart, that happy he'd be,
If he, like the lambs, could only be free
To gambol and frolic, to stand or to run,
To lie down on the bank and bask in the sun;
But oh! this high bench, where his little short legs
Hang dangling, benumbed and lifeless as pegs,
While vainly he tries to reach with his toes
The too distant floor—Oh! these are the woes
Which many a child, in his school-hour knows.
But hark! the stern voice of the master is heard
To call for his task, of which he knows not a word,
And his visions and dreams are dispelled all at once,—
The high seat is exchanged for the block of the dunce.

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How his little heart swells, when he hears that to-day
For blockheads and dunces there must be no play;
And when on the green a gay group is thronging
To join in their sports, how that young heart is longing!
Half-blinded by tears, he bends o'er his book,
Not daring t' encounter the master's stern look;
Tho' his eye 's on the page, his thoughts are away
Where the boys on the green now frolic at play;
As sideways he peeps from his slyly-raised eye,
His hand seeks his pocket,—the marbles roll o'er,
And render his sorrows far worse than before;
His knife and his jews-harp, and countless tow strings,
All a boy's precious store of juvenile things,
But add to his troubles, while striving to hide
The tears which will flow in spite of his pride.
The dull, lazy drone of an idle great fly
Now strikes on his ear so desolately,
'Tis in vain he endeavours his lesson to learn,
Some object distracts him, where'er he may turn.
Tho' the master has ruled every writing-book through,
Every page of them given a thorough review,
Every copy has set, and piled them away,
Still his task is unlearned,—not a word can he say.
As his hat on his head the master then placed,
The poor little idler he solemnly faced—
"And now, sir, your task!"—Oh, terrible sound!
How wildly the tone makes his young heart to bound!
And now bursts the grief he so long had suppressed,
In a torrent of tears which his pride had repressed—
'Twas bad enough quite, to be kept from his play,
And shut up alone in the school-house to stay,
But a dunce to be called, and a blockhead beside!—
He, his mother's own darling, his father's own pride!
The cup of his sorrows was quite full before—
The view of the master has made it run o'er.
These griefs are not light, tho' they 're fleeting, 'tis true,
And I longed to rush in and entreat his rescue.
But sadden'd, I turned me, and sauntered along,
Still hearing the shouts of the light-hearted throng,
And I sighed, as I thought of the poor little one
Who sat on the dunce-block forsaken and lone,
And I fervently prayed that the future might bring
No sorrow more grievous his young heart to wring.

C.

*Brandon, Vt.*

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# MARGINALIA.

BY EDGAR A. POE.

In general, our first impressions are the true ones—the chief difficulty is in making sure which *are* the first. In early youth we read a poem, for instance, and are enraptured with it. At manhood we are assured by our reason that we had no reason to be enraptured. But some years elapse, and we return to our primitive admiration, just as a matured judgment enables us precisely to see what and why we admired. Thus, as individuals, we think in cycles, and may, from the frequency or infrequency of our revolutions about the various thought-centres, form an accurate estimate of the advance of our thought toward maturity. It is really wonderful to observe how closely, in all the essentials of truth, the child-opinion coincides with that of the man proper—of the man at his best.

And as with individuals, so, perhaps, with mankind. When the world begins to return, frequently, to its first impressions, we shall then be warranted in looking for the millennium—or whatever it is:—we may safely take it for granted that we are attaining our maximum of wit, and of the happiness which is thence to ensue. The indications of such a return are, at present, like the visits of angels—but we have them now and then—in the case, for example, of *credulity*. The philosophic, of late days, are distinguished by that very facility in belief which was the characteristic of the illiterate half a century ago. Skepticism, in regard to apparent miracles, is not, as formerly, an evidence either of superior wisdom or knowledge. In a word, the wise now believe—yesterday they would not believe—and day before yesterday (in the time of Strabo for example) they believed, exclusively, anything and everything:—here, then, is one of the indicative cycles completed—indicative of the world's approach to years of discretion. I mention Strabo merely as an exception to the rule of his epoch—not as one, in a hurry for an illustration, might describe Mr. So and So to be as witty or as amiable as Mr. This and That is *not*—for so rarely did men reject in Strabo's time, and so much more rarely did they *err* by rejection, that the skepticism of this philosopher must be regarded as one of the most remarkable anomalies on record.

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I cannot help believing, with Gosselin, that Hanno proceeded only so far as Cape Nun.

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The drugging system, in medical practice, seems to me but a modification of the idea of *penance*, which has haunted the world since its infancy—the idea that the voluntary endurance of pain is atonement for sin. In this, the primary phase of the folly, there is at least a show of rationality. Man offends the Deity; thus appears to arise a necessity for retribution, or, more strictly, a desire, on the part of Deity, to punish. The *self*-infliction of punishment, then, seemed to include at once an acknowledgment of error, zeal in anticipating the will of God, and expiation of the wrong. The thought, thus stated, however absurd, is not unnatural; but the principle being gradually left out of sight, mankind at length found itself possessed of the naked idea that, in general, the suffering of mankind is grateful to the Creator:—hence the Dervishes, the Simeons, the monastic hair-cloths and shoe-peas, the present Puritanism and cant about the "mortification of the flesh." From this point the conceit makes another lapse; the fancy took root, that *in the voluntary endurance of ill there existed, in the abstract, a tendency to good*; and it was but in pursuance of this fancy, that, in sickness, remedies were selected in the ratio of their repulsiveness. How else shall we account for the fact, that in ninety-nine cases out of a hundred the articles of the Materia Medica are distasteful?

*Mr. Henry Cary* is introduced to us, in the Appendix to "The Poets and Poetry of America," as "Mr. Henry Carey, author of 'Poems by John Waters,' originally printed in the 'New-York American' and the 'Knickerbocker Magazine.'" Mr. Cary's works have appeared *only* in the periodicals mentioned—that is, I believe they have not yet been collected in volume form. His poems (not so good as his prose by any means) are easily and pointedly written, neatly versified, and full of life and fancy. Doctor Griswold has made a mistake in attributing to *our* Mr. Cary the Anacreontic entitled "Old Wine to Drink," quoted in the Appendix of the "large book."

It is as an essayist that Mr. C. is best entitled to distinction. He has written some of the happiest Magazine papers, of the Spectator class, in the language. All that he does, evinces a keen relish for old English literature, and a scholastic taste. His style is pure, correct, and vigorous—a judicious mixture of the Swift and Addison manners—although he is by no means either Swift or Addison. In a well-written memoir of him furnished for "The Broadway Journal," the writer says:

"His essays are all short, as essays should be, of the Addisonian dimensions and density of expression. His sentences are the most perfect in the language; it would be a vain task to hunt through them all for a superfluous conjunction. They are too perfect to be peculiar, for writers are distinguished from each other more by their faults than their excellences. . . . . He can endure nothing that wears a slovenly aspect. His lawns must be neatly trimmed and his gardens weeded. . . . . He has not written much about flowers, but we should think that his favorite was a Camelia. He is in some sort a Sam. Rogers, but more particular . . . His descriptions have a delicacy of finish like the carvings of Grinling Gibbons. They remind you as forcibly of Nature as anything short of Nature can; but they never deceive you; you know all the while that it is not a reality that affects you."

Of course in all this there is exaggeration. The commentator seems to have had in view the twofold object of writing, himself, a John Waterish essay, and doing *full* justice to his personal friend. The only trouble is, that the justice is a little *too* full. It will not quite do to say that Mr. Cary's sentences are the "most perfect" in the language—first, because "perfect" admits of no degrees of comparison, and secondly, because the sentences in question are perfect by no means. For example—"It would be in vain," says the critic, "to hunt through them all for a superfluous conjunction"—immediately afterwards quoting from Mr. C. the following words:

"We paid our visit to the incomparable ruins of the castle, *and* then proceeded to retrace our steps, and examining our wheels at every post-house, reached the Hotel D'Angleterre. . . . . It was well filled, *and* yet the number," etc.

Now the conjunctions which I have italicized are pleonastic. These things, however, are trifles; John Waters deserves all the spirit if not the whole letter of his friend's commendation.

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"So violent was the state of parties in England, that I was assured by several that the Duke of Marlborough was a coward and Pope a fool."—*Voltaire.*

Both propositions have since been very seriously entertained, quite independently of all party-feeling. That Pope was a fool, indeed, seems to be an established point, at present, with the Crazy-ites—what else shall I call them?"

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Not long ago I pointed out in "The New-York Mirror," and more fully, since, in "The Broadway Journal," a very decided case of similarity between "*A* Death-Bed," by Mr. Aldrich, and "*The* Death-Bed," by Thomas Hood. The fact is, I thought, and still think, that, in this instance, Mr. A. has been guilty of plagiarism in the first degree. A short piece of his headed "Lines," is not demonstrably a plagiarism—because there seems scarcely any design of concealing the source—but I quote the poem as evidence of Mr. A's aptitude at imitation. Leaving the original out of sight, every one would admit the beauty of the parallel:

LINES.

Underneath this marble cold,
Lies a fair girl turned to mould;
One whose life was like a star,
Without toil or rest to mar

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Its divinest harmony—
Its God-given serenity.
One whose form of youthful grace,
One whose eloquence of face
Matched the rarest gem of thought
By the antique sculptors wrought:
Yet her outward charms were less
Than her winning gentleness—
Her maiden purity of heart—
Which, without the aid of art,
Did in coldest hearts inspire
Love that was not all desire.
Spirit forms with starry eyes
That seem to come from Paradise—
Beings of etherеal birth—
Near us glide sometimes on Earth,
Like glimmering moonbeams dimly seen,
Glancing down through alleys green;
Of such was she who lies beneath
This silent effigy of grief.
Wo is me! when I recall
One sweet word by her let fall—
One sweet word but half expressed—
Downcast eyes told all the rest.
To think beneath this marble cold
Lies that fair girl turned to mould.

Imitators are not, necessarily, unoriginal—except at the exact points of the imitation. Mr. Longfellow, decidedly the most audacious imitator in America, is markedly original, or, in other words, imaginative, upon the whole; and many persons have, from the latter branch of the fact, been at a loss to comprehend, and therefore, to believe, the former. Keen sensibility of appreciation—that is to say, the poetic *sentiment* (in distinction from the poetic *power*) leads almost inevitably to imitation. Thus all great poets have been gross imitators. It is, however, a mere *non distributio medii* hence to infer, that all great imitators are poets. Still—what I mean to say is, that Mr. Aldrich's *penchant* for imitation does not show him to be incapable of poetry—as some have asserted. It is my own belief that, at some future day, he will distinguish himself as a lyrist.

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There can be no doubt, that up to this period the Busbites have had the best of the battle. The "Anastasis"* is lucidly, succinctly, vigorously, and logically written, and proves, in my opinion, everything that it attempts—provided that we admit the imaginary axioms from which it starts; and this is as much as can be well said of any theological disquisition under the sun. It might be hinted, too, in reference as well to Professor Bush, as to his opponents, "*que la plupart des sectes ont raison dans une bonne partie de ce qu'elles avancent, mais non pas en ce qu'elles nient.*"

Taylor, who wrote so ingeniously the "Natural History of Enthusiasm," might have derived many a valuable hint from the study of Professor Bush.

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A good title to a very respectable book.† The endeavor to convey Rome only by those impressions which would naturally be made upon an American, gives the work a certain air of originality—the rarest of all qualities in descriptions of the Eternal City. The style is pure and sparkling, although occasionally flippant and *dillettantesque*. The tone of remark is much in the usual way—*selon les regles*—never very exceptionable, and certainly never very profound.

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I never read a personally abusive paragraph in the newspapers, without calling to mind the pertinent query propounded by Johnson to Goldsmith:—"My dear Doctor, what harm does it do a man to call him Holofernes?"

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"The artist belongs to his work, not the work to the artist."—*Novalis.*‡

In nine cases out of ten it is pure waste of time to attempt extorting sense from a German apophthegm;—or, rather, any sense and every sense may be extorted from all of them. If, in the sentence above quoted, the intention is to assert that the artist is the slave of his theme, and must conform to it his thoughts, I have no faith in the idea, which appears to me that of an essentially prosaic intellect. In the hands of the *true* artist the theme, or "work," is but a mass of clay, of which anything (within the compass of the mass and quality of the clay) may be fashioned at will, or according to the skill of the workman. The clay is, in

* "Anastasis, or The Doctrine of the Resurrection; in which it is shown that the Doctrine of the Resurrection of the Body is not sanctioned by Reason or Revelation."

† "Rome, as seen by a New-Yorker"—by William M. Gillespie.

‡ The nom de plume of Von Hardenburgh.

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fact, the slave of the artist. It belongs to him. His genius, to be sure, is manifested, very distinctively, in *the choice* of the clay. It should be neither fine nor coarse, abstractly—but just so fine or so coarse—just so plastic or so rigid—as may best serve the purposes of the thing to be wrought—of the idea to be made out, or, more exactly, of the impression to be conveyed. There *are* artists, however, who fancy only the *finest* material, and who, consequently, produce only the *finest* ware. It is generally very transparent and excessively brittle.

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I have not the slightest faith in Carlyle. In ten years—possibly in five—he will be remembered only as a butt for sarcasm. His linguistic Euphuisms might very well have been taken as *prima facie* evidence of his philosophic ones; they were the froth which indicated, first, the shallowness, and secondly, the confusion of the waters. I would blame no man of sense for leaving the works of Carlyle unread, merely on account of these Euphuisms; for it might be shown *à priori*, that no man capable of producing a definite impression upon his age or race, could or would commit himself to such inanities and insanities. The book about "Hero-Worship"—is it possible that it ever excited a feeling beyond contempt? *No* hero-worshipper can possess anything within himself. That man is no man who stands in awe of his fellow-man. Genius regards genius with respect—with even enthusiastic admiration—but there is nothing of worship in the admiration, for it springs from a thorough cognizance of the one admired—from a perfect *sympathy*, the result of this cognizance; and it is needless to say, that sympathy and worship are antagonistic. Your hero-worshippers—your Shakspeare worshippers, for example—what do they know about Shakspeare? They worship him—rant about him—lecture about him—about *him*, *him*, and nothing else—for no other reason than that he is utterly beyond their comprehension. They have arrived at an idea of his greatness from the pertinacity with which men have called him great. As for their own opinion about him—they really have none at all. In general, the very smallest of mankind are the class of men-worshippers. *Not one* out of this class has ever accomplished anything beyond a very contemptible mediocrity.

Carlyle, however, has rendered an important service (to posterity, at least) in pushing rant and cant to that degree of excess which inevitably induces reaction. Had he not appeared, we might have gone on for yet another century, Emerson-izing in prose, Wordsworth-izing in poetry, and Fourier-izing in philosophy, Wilson-izing in criticism—Hudson-izing and Tom O'Bedlam-izing in everything. The author of the "Sartor Resartus," however, has overthrown the various arguments of his own order, by a personal *reductio ad absurdum*. Yet an Olympiad, perhaps, and the whole horde will be swept bodily from the memory of man—or be remembered only when we have occasion to talk of such fantastic tricks as, erewhile, were performed by the Abderites.

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I cannot help thinking Doctor Cheever's* "Common-Place-Book of American Poetry" a most injudicious selection—its taste tending entirely toward the didactic. It has the merit, however, of not belying its title, and is excessively common-place. Poets are by no means, necessarily, judges of poetry, but nothing is more certain than that, to be a judge of poetry, it is necessary to have at least the poetic sentiment, if not the poetic power—the "vision," if not "the faculty divine." Dr. Cheever, very evidently, has neither. I have now before me one of the most commendable pieces of verse which I have seen from his pen, and quote from it its best quatrain, which is undeniably forcible and pointed in expression:

* The Reverend George B. Cheever, of New-York; author of "Deacon Giles' Distillery," (a *brochure* which, at the epoch of its publication, produced much excitement,) "God's Hand in America," "Travels in the East," and a "Defence of Capital Punishment." The last named has not been long published. In some respects, it is well reasoned. Its chief *data*, however, (in common with all which I have yet seen on this *vexata quæstio*) are the merest assumptions. Authority is obstinately insisted upon, which nine-tenths of the thinking portion of the civilized world deny, either openly or at heart, to be any authority at all.

A life all ease is all abused:—
O, precious grace that made thee wise
To know;—affliction, rightly used,
Is mercy in disguise.

The greater part of the poem, however, (which consists of thirty-eight quatrains) jogs along thus:

Those duties were love's natural *sphere*:
Our drooping flower I cherished *so*
That still the more it asked my *care*
The dearer still it *grew*.

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As a descriptive poet, Mr. Street is to be highly commended. He not only describes with force and fidelity—giving us a clear conception of the thing described—but never describes what, to the poet, should be nondescript. He appears, however, not at any time to have been aware that *mere* description is not poetry at all. We demand creation—ποιησις. About Mr. Street there seems to be no spirit. He is all matter—substance—what the chemists would call "simple substance"—and exceedingly simple it is.

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As a commentator, Professor Anthon has evinced powers very unusual in men who devote their lives to the *hortus siccus* of classical lore. He has ventured to dismiss the pedant and look *en homme du monde* upon some of the most valued of the literary monuments of antiquity. The abundant Notes to his Classics will do him lasting honor among all who are qualified to give an opinion of his labors, or whose good word and will he would be likely to consider as worth having. His accuracy is extreme. I would stand by his decision, in any mere matter of classical fact, in preference to that of any man in Europe, or elsewhere. Some time ago, an attempt was made to injure his reputation by a charge of plagiarism, instituted in reference to his most important work, the Classical Dictionary; and urged against such a book, the accusation, from its mere silliness, was not easily rebutted. The Classical Dictionary is little more than a summary of *facts*, and these facts are the common property of mankind. Professor Anthon's accusers would have acted with equal wisdom in charging Legendre with robbing Euclid. The multitudinous quotations of the Classical Dictionary are made *verbatim* (unless where difference of opinion has induced alteration) without that attempt at giving the extracted matter an air of originality by merely re-writing it, which is but too common among compilers. And for this virtue he has been reviled. No doubt he would have given more satisfaction, in certain quarters, had he thought more of his own merely literary reputation, and kept his eye less steadily fixed on the true purpose of compilations such as he has undertaken—for the purpose of *making a useful book*. His talents, nevertheless, have long ago placed him in a position at which he is left free to pursue this good purpose in his own manner, without fear of injuring his character as an original writer, in the opinion of any one having sense enough to understand that there is a point at which originality ceases to be a matter for commendation.

The only noticeable demerit of Professor Anthon is diffuseness, sometimes running into Johnsonism, of style. The best specimen of his manner is to be found in an analysis of the Life and Writings of Cicero, prefacing an edition of the orator's Select Orations. This analysis occupies about forty pages of the book, and is so peculiarly Ciceronian, in point of fullness, and in other points, that I have sometimes thought it an intended imitation of the *Brutus, sive de Claris Oratoribus*.

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With the aid of a lantern, I have been looking again at "Niagara and other Poems" (Lord only knows if that be the true title)—but "there's nothing in it:"—at least nothing of Mr. Lord's own—nothing which is not stolen—or, (more delicately,) transfused—transmitted. By the way, Newton says a great deal about "fits of easy transmission and reflection,"* and I have no doubt that "Niagara" was put together in one of these identical fits.

* Of the solar rays—in the "Optics."

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# REFLECTIONS ON THE "BALANCE OF POWER."

From the foundation of the United States government up to the present year, the advice of Washington, as imparted in his Farewell Address, that America should have as little to do with European politics as possible, has been faithfully, and even zealously followed. The United States have uniformly avoided the "entangling alliances" of European governments; while, as citizens, they have, with singular energy and enterprise, pushed commercial intercourse with the people of countries, not only in Europe, but in the remote regions of Asia and the distant islands of the southern ocean. Of the fifty-six years which have elapsed since the first meeting of the National Congress under our present Constitution, Europe has occupied twenty-three in a fierce and bloody contest. From the southernmost part of the peninsula of Spain to the snows of Moscow—from Egypt to Copenhagen, scarcely a field of Europe but has been watered with the blood of armies composed of the people of all the nations of Europe, striving for "ignis-fatuus" called the "balance of power." England, isolated by the surrounding ocean covered with her fleets, which ruled it with supreme power, was the spring of action by which war after war, and coalition after coalition were formed to preserve the "balance in Europe."—In all that time, the United States were regarded with indifference—perhaps with contempt, and their weight in the "balance" was but little heeded. Thirty years of peace have now resulted in placing the United States among the foremost nations of the earth; and as they have religiously abstained, hitherto, from seeking to interfere with the balance in Europe, the leading powers there now seem disposed to introduce that demon of discord upon this continent.

Great as have been the evils that have flowed from the theory of the "balance of power," it has never yet been defined, and is utterly incapable of definition. It is a mischievous chimera, an indescribable nothing, which served for centuries to cloak the insatiate ambition of rulers, and the criminal aggression of tyrannical governments, that sought, by external strife, to "busy giddy minds," "lest rest and lying still might make them look too near into the state." The precise date when this theory was originated cannot readily be determined. By some writers, it has been referred to the Florentine Republic, at the zenith of its prosperity. By others, Demosthenes is asserted to have thundered on the merits of the "balancing system" to the Athenians. It, however, first became a topic of diplomatic discussion in the early part of the sixteenth century, in Western Europe; was first recognised as a principle at the treaty of Westphalia, in 1648, and became really the genius of evil at the commencement of the eighteenth century. It has been remarked, that the first instance in which this balance was alluded to by the kings of England, was in the speech of William III. from the throne, Dec. 31, 1701, as follows:

"I will only add this, if you do in good earnest desire to see *England hold* the balance of Europe, it will appear by your right improving the present opportunity."

Here was no desire manifested to preserve any supposed balance, or to prevent the alleged aggression of any other power, but simply for England to *hold* the balance, which, if it has any meaning at all, certainly is, that it would enable her to dictate to either party in any controversy. This suited the pride of the English nation, the views of the aristocracy, and the ambition of the rulers. The result was the war of 1702, declared against France and Spain by England and Holland. It is remarkable that no war of the kind, ostensibly undertaken to prevent the aggression of other nations, ever closed without adding to the possessions of England. The first result of that war of 1702 was the spoliation of Spain by England, who took posses-

sion of Gibraltar, a part of the native Spanish soil, and which she holds to this day. This disposition of England to *hold* the balance, always has led her into every quarrel that has taken place in all parts of the world; and she has invariably exacted a valuable territory as her fees for interference. This character of the English government has been satirized by Washington Irving as follows:

"He (John Bull) is continually volunteering his services to settle his neighbors' affairs, and takes it in great dudgeon if they engage in any matter of consequence without asking his advice, though he seldom engages in any friendly office without finishing by getting into a squabble with all parties, and then railing bitterly at their ingratitude. He unluckily took lessons in his youth in the noble science of self-defence, and having accomplished himself in the use of his limbs and weapons, and become a perfect master at boxing and cudgel-play, he has had a troublesome life of it ever since. He cannot hear of a quarrel between the most distant of his neighbors, but he begins incontinently to fumble with the head of his cudgel, and consider, whether interest or honor does not require that he should meddle in their broils. Indeed, he has extended his relations of pride and policy so completely over the whole country, that no event can take place without infringing some of his finely-spun rights and dignities. Couched in his little domain, with those filaments stretching forth in every direction, he is like some choleric, bottle-bellied old spider, who has woven his web over a whole chamber, so that a fly cannot buzz, nor a breeze blow, without startling his repose and causing him to sally forth wrathfully from his den."

This propensity has caused a vast expenditure of blood and treasure, and has resulted in a debt of some £800,000,000, and which, now, in the progressive influence of the commercial principle, is likely to be the means of taking from England her ascendency. The element of power henceforth, is not the strength of armies, but the cheapness of goods. To preserve this imaginary ancient balance of power, England expends, annually, some $100,000,000, which is the cost of her army and navy, against an expenditure of $14,000,000 per annum by the United States for the same purpose. The weight of this expenditure is now begun to be recognised as an obstacle in the way of commercial power; and yet no one can explain what is the practical meaning of a political "balance of power," to achieve which the expenditure was incurred. Vattel informs us, after stating that Europe forms a political system by which each government is *united with the rest through* ties of common interest, for the maintenance of order and liberty, that—

"Hence arose that famous scheme of the political equilibrium, or 'balance of power,' by which is understood such a disposition of things as no power is able absolutely to predominate, or to prescribe laws to others.

"England, the opulence and fleets of which have a very great influence, without alarming any state with regard to its liberty, because this power *seems cured of its 'spirit of conquest'*—England, I say, has the glory of holding this 'political balance.'"

Gentz, on the political balance, describes it as follows:

"What is usually termed a balance of power is, that *constitution subsisting* among *neighboring* states, more or less connected with each other, by virtue of which no one among them can injure the independence or *essential rights* of another, without meeting with effectual resistance on some side, and consequently exposing itself to danger."

These two writers approach each other in defining this imaginary nothing as a "constitution" subsisting between *neighboring* states. Vattel embodies Europe in the compact. Lord Brougham enlarges the circle somewhat as follows:

"The grand and distinguishing feature of the balancing system, is the perpetual attention to foreign affairs which it inculcates; the constant watchfulness over every nation which it prescribes; the subjection in which it places all *national passions* and antipathies to the firm and delicate view of remote expediency; the unceasing care which it dictates of nations *most remotely situated*, and, apparently, *unconnected* with ourselves; the general union which it has effected of all the European powers, obeying certain laws, and *actuated in general* by a common principle; in fine, the right of mutual inspection, universally recognised among civilized states, in the rights of public envoys and residents."

In endeavoring to apply these grave rules to the progress of affairs in Europe since 1700, and reflecting on the

constant endeavor of each power to grasp by fraud and hold by force all that came within its reach, we discover that they were indeed "actuated by a common principle," viz., insatiable ambition. We look in vain, however, for that "subjection of the passions," that "subsisting constitution," or that "disposition of things" by which "order is maintained," or the weak preserved from oppression. Were the "essential rights" of Poland preserved in 1772, when Russia, Austria and Prussia dismembered that unhappy country? Were the "essential rights" of Spain preserved, when Sir George Rooke, in July, 1704, forcibly and feloniously took possession of Gibraltar, a part of the soil of Spain, in accordance with King William's desire to "hold the balance?" Were the "essential rights" of France respected, when, in 1760, the Canadas were reft from her possession? Were the "essential rights" of Bengal, in 1757, and the Indies under Wellesley, respected? Did Austria respect Lombardy, or France a part of Switzerland? or Russia regard the rights of Sweden, Turkey and Persia? Where or when was this "subsisting constitution," this "subjection of the passions," whereby no one can "injure the independence of another?" When did England show signs of being cured of the "spirit of conquest?" The Punjaub is even now about to be added to her empire! The events since the French revolution afford the most marked commentary upon this singular delusion. Down to the nineteenth century, the Turkish empire, although occupying one of the finest portions of Europe, and having Constantinople for its capital, a city inferior to none in the world for the natural excellence of its position, and the immense commercial advantages which it offers, was not allowed to form part of the political balance. When, at the close of the eighteenth century, Pitt, the pugnacious English minister, proposed to forward succors to the Sultan, to enable him to resist the aggressions of the Czar, he was opposed by the celebrated Burke as follows:

"He had never before heard it set forth, that the Turkish Empire was considered as a part of the balance of power in Europe. They had nothing to do with European power; they considered themselves as wholly Asiatic; and any Christian power was to be preferred to these destructive savages. He had heard with horror that the Emperor had been obliged to give up to this abominable power those charming countries which border upon the Danube to devastation and pestilence."

These arguments defeated the minister, and the succors were countermanded. A few years rolled on; and just at the moment when the "balance" was considered perfect, notwithstanding that the weight of England had become diminished by the loss of so small an item as North America, a young Corsican, having discovered a principle of military science, and the revolution of France affording an opportunity for its application, subjected all the countries of Europe to France. The power of Napoleon gradually absorbed, despite the "balance of power," all the countries of western and northern Europe. At this juncture a kind of agreement sprung up between the emperor of the south and the emperor of the north, by which the latter was to extend himself in the east, and the former to consolidate his power in western Europe. This involved the occupation of Constantinople by Alexander, which subsequently Napoleon refused to admit, and frustrated, for the reason given by himself to O'Meara at St. Helena, that if Russia were in possession of Turkey, the "balance of power in Europe" would be destroyed; such a reason, by such a man, for such an act, under such circumstances, may be regarded simply as a sublime sarcasm on the prattle of diplomatists and the trickery of governments. In still a few years more, when Greece revolted from the sway of the Sultan, the fleets of the combined powers interposed and destroyed that of the Turks at Navarino. The integrity of the Turkish Empire was preserved, why? To maintain the balance? No, certainly, because it could not well be divided, as was Poland, in 1772; and no nation could "subject its passion" of jealousy so far as to see even a Christian power and an industrious people displace that "savage government," which was so eloquently denounced by Burke. They preferred that the fairest portion of Europe should run to waste, rather than that its improvement should benefit another government. Another

period of ten years elapsed, and the government of England, in 1836, exerted itself to the utmost, by pamphleteering, &c., to prepare the public mind of England for a war with Russia, on behalf of Turkey, and the chief writer of the pamphlets was appointed to the Porte. The scheme was apparently defeated through the growth of the commercial interest. The downfall of Turkey is not yet. She is, however, eagerly watched by all these powers, "united for a common object," with "passions subdued," ready to prevent any outrage on the "essential rights" of the weak, which means the acquisition, by the strong, of any plunder in which they do not participate. The wars of the early part of the present century, also, present the curious fact, that while England was wasting the blood and treasure of her people to preserve the balance in Europe, her fleets ruled the ocean with supreme power. So universal was her sway, that no maritime nation was safe from her insults and oppression. The United States groaned under her piratical outrages, and the rigor of her rule is illustrated in the following anecdote of Napoleon: On his return from the campaign of Austerlitz, he was presented, by M. Denon, with a series of medals illustrative of recent events. The first had on one side the head of Napoleon, on the reverse an eagle grasping a leopard. "What does this mean?" said Napoleon. "Sire," replied M. Denon, "that is the French eagle choaking in its claws a leopard, one of the attributes of the arms of England." "Vile flatterer!" exclaimed the emperor, throwing the medal violently away, "how dare you say that the French eagle choaks the English leopard? I cannot put a fishing-boat to sea but the English seize it. It is the English leopard, I think, that chokes the French eagle." Nor was France alone the sufferer by this ruthless tyranny of the ocean, practised to preserve the "balance of power." The practical result of it to England, was, that between 1800 and 1815, she took forcible possession of ten colonies, having a population of 1,678,958 souls. Of the 43 colonies she now holds, 21 were wrenched from other nations, during her wars to preserve the balance of power, and to prevent the strong from spoliating the weak. Her unjust and reasonless oppression, in violation of the laws of nations, banded the maritime governments of Europe against her, and she destroyed their fleets at Copenhagen. After breaking up the coalition which her own injustice on the ocean had created against her, she succeeded in forming a coalition against the power of France on the land. The long series of wrongs suffered by the United States, which, although a neutral power, underwent, through the tyranny of England, great depredations on its commerce, and injustice to its citizens, at length drove them to resistance and war. The remarkable war of 1812 developed an entirely new element in the "balance of power." England had been contending for the chimera for more than a century. She had sought it by force of arms, by fraud, and military aggression, and in the course of her struggles had become mistress of the seas, and had taken all the colonies worth having. Her navy had come to be thought invincible; and she oppressed the small maritime powers, and trampled on the laws of nations, as respects the rights of neutrals, at her pleasure. During the same period in which these results were consummated, the United States had vigorously pursued their trade, and had enjoyed a very large portion of the commerce of the world, in spite of the restrictions imposed upon it through the violence of England. In 1812, forbearance had ceased to be a virtue; the "disposition of things," the "subsisting constitution," the "general union," and the "subjection of the passions" among the powers of Europe, having utterly failed to protect the "essential rights" of the United States, or to prevent the strength of England from oppressing the supposed weakness of America, the Union determined to put forth their own strength for their own defence. It was then discovered that the industry and active commerce of the preceding twenty years had given the United States a strength which speedily dispossessed England of the dominion of the seas. Twenty years of commerce did more effectually to preserve a "balance of power," than centuries of diplomatic trickery, military display, and profuse expenditure. A coalition of all the northern powers of Europe against England failed to

keep the seas against her flag and dictation. The navy of the hitherto disregarded United States defeated her single-handed in every engagement. This country, which had never been heard of as forming part of the "balance," alone reft the supremacy of the seas from England, after combined Europe had failed in the attempt. The theory, that there existed such a disposition of things as no power is able absolutely to predominate and prescribe laws to others, "was demonstrated in the dictation of the "right of search," and that the "flag could not cover the goods" by England to all the powers of Europe, and this dictation was as unexpectedly as effectually resisted by a trans-Atlantic power.

The events of the French revolution and the war which followed it, introduced a new "balance," which had never occurred to the legitimate princes of past ages ruling by divine right. This new "balance" was not between nations, to prevent one prince from having a larger area of territory, or a more numerous people, from whom to exact taxes and whom to oppress; it was to prevent the people of all the countries from obtaining a larger share of their rights in the respective governments. It became, in truth and fact, a "subsisting constitution," a "disposition of things," and a "general union" between all princes against the people of all countries. It was the balance between despotism on the one hand and popular rights on the other. Napoleon, at the head of the French revolution, swept over Europe, uprooted all ancient divine rights, and destroyed the remnants of feudal tyranny. The reaction accompanying his downfall restored, indeed, the semblance of former despotisms; but the seeds of popular rights were extensively sown, and are rapidly gaining strength to bear the fruits of civil liberty. It is against this growing power that monarchies seek to preserve a balance. This balance is not a fanciful chimera, like the imaginary balance between ancient dynasties, but is a written constitution. As there is a *bona fide* balance, we copy the "subsisting constitution."

"The undersigned, specially authorized to make some additions to the Treaty of the Holy Alliance, after having exchanged their respective credentials, have agreed as follows:

"ART. 1. The high contracting powers, being convinced that the system of representative government is equally as incompatible with the monarchical principles as the maxim of the sovereignty of the people with the divine right, engage mutually, in the most solemn manner, to use all their efforts to put an end to the system of representative governments, in whatever country it may exist in Europe, and to prevent its being introduced in those countries where it is not yet known.

"ART. 2. As it cannot be doubted that the liberty of the press is the most powerful means used by the pretended supporters of the rights of nations, to the detriment of those of princes, the high contracting parties promise reciprocally to adopt all proper means to suppress it, not only in their own states, but also in the rest of Europe.

"ART. 3. Convinced that the principles of religion contribute most powerfully to keep nations in the state of passive obedience which they owe to their princes, the high contracting parties declare it to be their intention to sustain, in their respective states, those measures which the clergy may adopt, with the aim of ameliorating their own interests, so intimately connected with the preservation of the authority of princes; and the contracting parties join in offering their thanks to the Pope for what he has already done for them, and solicit his constant co-operation in their views of submitting the nations.

"ART. 4. The situation of Spain and Portugal unite, unhappily, all the circumstances to which this treaty has particular reference. The high contracting parties, in confiding to France the care of putting an end to them, engage to assist her in the manner which may least compromit them with their own people and the people of France, by means of a subsidy on the part of the two empires of twenty millions of francs every year, from the date of the signature of this treaty to the end of the war.

"ART. 5. In order to establish in the Peninsula the order of things which existed before the revolution of Cadiz, and to ensure the entire execution of the articles of the present treaty, the high contracting parties give to each other the reciprocal assurance, that, as long as their views are not fulfilled, rejecting all other ideas of utility, or other measures to be taken, they will address themselves, with the shortest possible delay, to all the authorities existing in their states, and to all their agents in foreign countries, with the view to establish connections tending towards the ac-

complishments of the objects proposed by this treaty.

"ART. 6. This treaty shall be renewed with such changes as new circumstances may give occasion for, either at a new Congress or at the Court of one of the contracting parties, as soon as the war with Spain shall be terminated.

"ART. 7. The present treaty shall be ratified, and the ratifications exchanged at Paris, within the space of six months.

"Made at Verona, the 22d Nov., 1822.

"Signed—For Austria, Metternich,
"For France, Chateaubriand,
"For Prussia, Bernsett,
"For Russia, Nesselrode."

Here is a "subsisting constitution," which leaves but little room to doubt its purport, objects and aims. Under its provisions, France, with a powerful army, invaded Spain, in 1823, overthrew the constitution of the Cortes, and restored Ferdinand VII. to absolute power. England, to keep up appearances, made a feeble protest against this outrageously despotic infringement of the independence of Spain. In 1825, the death of John, of Portugal, left the empire of Brazil and the crown of Portugal united in Don Pedro, who gave the latter to his daughter, Donna Maria, in accordance with the constitution of Brazil, which forbids the union of its government with that of Portugal. Don Miguel asserted his rights to the Portuguese crown; and as British interests were concerned in Donna Maria, that country promptly sent troops to aid her—pleading some forced construction of ancient treaties in justification of the outrage upon the people of Portugal. Prussia and its coadjutors have steadily carried out the views expressed in the treaty; and although France has a reformed government, the "citizen king" is even more vigorous than his predecessor in suppressing, as far as in him lies, every vestige of civil liberty. England did not actually sign the treaty; but at every opportunity we find her as active in preserving this new balance of governments against the people, as she was zealous in preserving the old balance between governments. The case of Belgium, in 1830, affords an example. A long series of oppression, commencing with the separation of Belgium from France, in 1815, at length drove the Belgians, Nov., 1830, to declare their independence of Holland, after the attack of the Dutch on Brussels had been repulsed by the Belgians, and a provisional government had been established. About the same time, the representatives of the powers which signed the above treaty were sitting in Downing-street, London, around the council board of Lord Palmerston, and they issued a "Protocol" in the name of the Holy Alliance, professing a lively desire to stop the effusion of blood, and proposing an armistice, on the conditions "that the respective troops shall retire behind the line which, *before the date of 30th May*, 1814, *separated* the possessions of the Prince of the United Provinces from those which have been joined to his territories to form the kingdom of the Netherlands, by the said treaty of Paris, and by the treaties of Paris and Vienna, of the year 1815."

The treaty of 1814 was that which broke up the empire of Napoleon. The Belgians, knowing with whom they had to deal, cautiously replied that they would accept this mediation, *providing* that the line indicated by the treaty of 1814 should continue to mean *the whole of the left bank of the Scheldt*. The Holy Alliance rejoined as follows:

"The plenipotentiaries have decided that the answer should be received, because, on one side it contains an *entire acceptance* of the basis laid down by the conference of London for a cessation of hostilities; and because the words "including the whole left bank of the Scheldt" expresses *nothing but an opinion* entirely subordinate to the full and universal acceptance which goes before."

The same Protocol informed the Belgians that the acceptance of the mediation was an *absolute engagement* entered into by them with the holy alliance. To this they demurred, and sent notes claiming Limbourg and the left bank of the Scheldt as the line assigned to them by agreement, if any existed, being that indicated by the treaty of 1814. The result was, that the Holy Alliance did not assign to Belgium the *actual* line under the treaty of 1814, but that which "ought" to have been the line; and accordingly, Luxembourg and the left bank of the Scheldt were assigned to Holland, and the murmurs of Belgium quelled by the whole force of the five powers; and she was also condemned to be perpetually neuter, or to have no political independence. A familiar il-

lustration of this piece of truly English diplomatic knavery is as follows: Two parties quarrel about an account; an umpire steps in and "proposes" that the payment shall be *fifty shillings*. One of the parties replies that it will accept the mediation, *if* the *shillings* are sterling. The umpire promptly replies that the acceptance is "full and unreserved," and is an absolute engagement with him; but that the provision about the sterling is an *opinion* only, which he will decide about hereafter; and he subsequently *compels* the acceptance of New-York shillings. This outrageous tyranny and disregard of common honesty is the means by which "the rights of the weak are preserved." We will suppose that this "balance" is imported into this country, as M. Guizot and Lord Palmerston proposed, and applied to the settlement of the Oregon. The negotiation would probably run thus:—A protocol would issue, *proposing* to settle the northern boundary on the basis of the line indicated in the Ashburton Treaty. The United States might reply, that they would accept the proposition if the line indicated is a continuation of the 49th parallel. The arbitrators would reply, that the acceptance on the part of the United States was unreserved, and formed an absolute engagement with them which they would enforce; but that the clause about the 49th line was an *opinion* only, and that they should award the Columbia river. This is European diplomacy; this is that tortuous snake-like policy which cheats in the name of honor, and steals in the guise of honesty. Although the signature of England was not attached to the above treaty of 1822, its principles are carried out in respect to weak powers, by her own foreign secretary, and the schemes of oppression were concocted in her own Foreign Office. Her manifest connection with the actual signers is known as the "entente cordiale." The same Lord Palmerston, under whose guidance the tricks were played off upon Belgium, it was, who concocted the great quintuple treaty of 1841, by which the right of mutual search was stipulated to the vessels of each country of Europe. That treaty was defeated by the resistance of the French Chambers; but Lord Palmerston in Parliament, July, 1844, stated that if it had been completed, it was his intention to go over to America in a "great European body," and *propose* the right of search to the United States. The treaty was, in truth, a hostile coalition against the United States, but was happily defeated.

While these events have been in progress since 1815, growing out of the ancient notion of a balance of power, the true element of national strength and power has been rapidly developing itself in national industry. Until late years a madness has possessed all governments, and that of the French empire was not exempt from it, on the subject of commerce. Manufactures and commerce were recognised as the elements of national power, but it was universally supposed that they could be obtained by force, and by injuring other nations which possessed them. Thus, at the time when Bonaparte pursued a most rigorous continental system, in order to injure England and promote manufactures in France, the population of that country was 28,000,000, which, at the usual proportion, would give 4,000,000 of males from 15 to 50 years, and the armies of France for many years constantly employed 1,600,000 Frenchmen. The great demand upon the French male population for war, diminished to a fearful extent the proportion of males, and it is not far from the truth to assume that one half were soldiers. In such a state of affairs, how could manufactures and industry flourish? Who was to do the work? The largest English force at any period was 56,000 men, mostly Irish. The whole English population were at work making goods. If, therefore, the French were fighting, and the English manufacturing and paying the coalitions to fight for them, they necessarily prospered; but France was no better off, because she refused either to let her own people manufacture or to buy of those who did. England, in her colonial policy, pursued a similar system. She conquered colonies and threw her protective system around them, refusing to let them buy of any but herself, when in fact no one but herself had anything to sell. The operation has been described, justly, as going out and knocking a man down, dragging him into your shop, and compelling him to buy of you. While there was no other shop, the latter part of the proceeding was not so great a hardship.

Of late years, however, the soldiers of Europe have been industrious; they have produced something to sell, and have, as a consequence, something wherewith to buy. The wealth of each nation has therefore rapidly increased, and with that increase the discovery has forced itself upon governments that commerce and manufactures, the source of power, are not procured by taking their citizens from their labors and setting them to fight for a "balance of power." They seek rather to obtain the power itself by keeping them all to work to the best advantage. To the "best advantage" means, the removal of all unnecessary taxes and expenses, to make goods the best and cheapest, and to give labor the greatest portion of the profits. To this end the expenses of protection, army, navy, public debt, &c., &c., must be reduced, and facilities of intercourse between nations promoted, by all possible means, to reduce the expense of transportation. An eminent example of the application of commercial interests to the acquisition of power is afforded in the case of Prussia.—That nation, which suffered to a greater extent than any other by the French wars, exerted itself to extend its power, and did so, not by force of arms, but by uniting the German states into a general bond of material, national and moral interests, under the customs union. Instead of innumerable custom-houses and their attendant officers, barring the way for the transportation of goods on every few miles of German roads, the whole were abolished, and an internal system of free trade adopted, by which means Prussia, from being a state of only twelve millions of people, has become the head of 27 millions of inhabitants, united firmly by the bond of mutual interest, and industriously prosecuting the arts of peace. The power of Prussia is more than quadrupled, and a few years would make her a leading power, if her iniquitous political opressions were modified. Gradually this union of the commercial interests of different countries must extend over Europe, because it is for the interest of all parties. Belgium, as an instance, should be annexed to France. It is naturally a part of that country. Most of the people speak French, and desire to become Frenchmen, because, by so doing, their markets will be extended. That the commercial interests of Belgium were better promoted during the union with Holland was self-evident, because, not only Holland but its colonies afforded a market for her iron, linen, and other manufactures. Political oppression drove them to independence, notwithstanding these advantages, and the consequence was, the loss of those markets; because, as soon as the separation took place, the absurd notion of protection demanded a mutual exclusion of those goods which were before exchanged to mutual advantage. The mines and the industry of Belgium produce more than her 2,500,000 of people require, but they are surrounded by custom-houses, that hedge in the surplus, and make it comparatively valueless. A union with France would open a market that would promptly benefit not only France and Belgium, but the commercial world. The holy alliance and the "balance of power" theory will not permit this. The definition of the theory of the balance given by Lord Bacon, is the only one that will explain the motives which would hinder a great good, for fear that good might benefit a supposed rival. His lordship, after speaking of kings, whom he denominates "mortal gods on earth," states—

"First, for their neighbors, there can no general rule be given (the occasions are so variable) save one, which ever holdeth; which is, that princes do keep due sentinel, that none of their neighbors do overgrow, so (by *increase of territory, by embracing of trade*, by approaches or *the like*) as they became more able to annoy them than they were; and this is generally the work of standing councils to see and *to hinder it*."

These few lines embrace nearly the whole spirit of the immoral and savage maxims propounded by the noble author of the *Novum Organum*. To carry out the maxims, would reduce all human beings to the level of brutes.—The general rule "which ever holdeth," is for governments and standing councils to hinder the growth of morality, freedom, trade, industry, or any thing that adds to a supposed rival's greatness. It was precisely this application of the "balance of power," and for reasons expressed almost in the same words, that M. Guizot made, in endeavoring to prevent the annexation of Texas to the United States. That

country had been rescued from the dominion of the savage and the brute by the hardy enterprise of the Anglo-Saxon race, and annexation was necessary to its growth and prosperity. That was sought to be prevented, in order to preserve the balance of power! Because that increased prosperity might add to the power of the United States. For the same reason, the vast tract of the Oregon is sought to be preserved to the exclusive use of the savage and the trapper, for fear that the industry of the American farmers should convert its vast resources to the use of the citizens at large. It is matter of congratulation, however, that the savage code of Bacon and his "mortal gods upon earth," is rapidly becoming obsolete. Instead of employing vast armies to prevent other nations from "overgrowing," by "embracing trade," the necessity of constant occupation for all citizens, and an unrestricted market for the products of their industry, that all may find employment, is coming to be recognised as the element of power. An anecdote, related some time since by Mr. Richard Cobden, is singularly illustrative of this fact. The Hon. C. P. Thomson, President of the Board of Trade, caused to be procured, through different consuls, samples of European manufacture sold in the leading markets of Europe. These were sent to the Manchester Chamber of Commerce, of which Mr. Cobden was a member, with the request that a report might be made on the relation, in respect of quality and cheapness, that they might bear to similar English goods. The report was compelled to admit that Saxony and Swiss drills and calico prints were better and cheaper than the English. They further reported that these goods were *superceding the English*, in the Mediterranean, and particularly at Gibraltar. Saxony and Switzerland do not own one ship of war, and England had in the Mediterranean, at that time, 36 ships—1320 guns, and 3000 seamen, to "protect her commerce." That is to say, Gibraltar cost her the expense of the war of 1702, which was about thirty-seven millions sterling; and the expense of protecting it ever since has been some 150 millions—making together near 200 millions sterling; and the result is, that Swiss industry, among the mountains of the interior of Europe, draws cotton from the United States, and turning it into goods, supplants the English manufactures in that market which has cost them so much. All the force of the world cannot protect trade against cheap goods; and industry and economy in time of peace are the elements of strength in time of war. This great truth was embodied in a few words by Col. Benton, at a public dinner, in 1835, as follows:

"Our public debt is cancelled; and there is more strength in those words than in one hundred ships of the line, ready for battle, or in a hundred thousand armed soldiers."

This truth, also, was deeply impressed on Europe, and France particularly, when the venerable Chief of this Republic, having a force of 8,000 soldiers and 6,000 sailors, successfully menaced the French government, with its 500,000 troops of the line, and its 300 armed ships. The population of the United States is nearly equal to that of Great Britain. They are as active and industrious. The same number of males here will produce in a year a greater quantity of actual wealth than in England. In Great Britain, the male population compares with that of the United States as follows:

| | U. STATES | G. BRITAIN |
|---|---|---|
| Males,..... | 8,682,224 | 9,017,086 |
| Army & Navy, | 17,000 | 277,017 |

The English debt and army and navy cost her people $350,000,000 per annum, or $43 per annum for each male. In the United States, the same items cost $15,000,000 per annum, or $1 75 each male. In which country will property accumulate with the greatest rapidity? The enormous sums spent by England for the "*balance* of power," are the weights that now retard her in the race for *actual* power. It is not alone the expense of her army and navy, but the idleness of 277,017 persons so employed, that oppress her. In France, a still greater proportion are unoccupied in useful pursuits. The steady and persevering industry and economy of the United States must, in a very few years, confer on them a power unassailable by the combined world, prattle as may diplomatists about establishing a balance here, or coming over in a "great European body" to "propose" obnoxious treaties.

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# THE GAME OF NORTH AMERICA:

## ITS NOMENCLATURE, HABITS, HAUNTS, AND SEASONS; WITH HINTS ON THE SCIENCE OF WOODCRAFT.

BY FRANK FORESTER.

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### No. V.

### QUAIL-SHOOTING.

Of all birds, in this or any other country, so far as I know from personal experience, or have heard from others more competent to pronounce on the subject, the quail is the most difficult, both to find and to kill with certainty.

Bred in the open fields, and feeding early in the morning and late in the afternoon, on buckwheat and other grain stubbles, during all the rest of the day the bevies lie huddled up together in little knots, either in some small thorny brake, or under the covert of the grassy tussocks in some bog meadow.

The small compass that each bevy occupies, while thus indolently digesting their morning meal, renders it very easy for the best dogs to pass within six yards of them without discovering their whereabout; and consequently, even when the country is well stocked with bevies, it is not an uncommon thing to toil a whole day through, without raising one-half the birds which have fed in the morning on your range.

Again, when flushed in the open, these birds immediately fly to the thickest and most impenetrable covert they can find; and in some sections of the country in which I have shot, Maryland especially, that covert is of such a nature—so interwoven with parasitic creepers, cat-briars and wild vines, and so thickly set with knotted and thorny brush-wood, that they can run with impunity before the noses of your pointers or setters, and that, without the aid of cocking-spaniels, which are little used in the United States, they cannot be forced to take wing.

These birds have another singular quality which renders them exceedingly difficult to find, even when they have been accurately marked down after being once flushed. It is, that for some considerable time after they have alighted they give forth no scent whatsoever, and that the very best dogs will fail to give any sign of their presence.

Whether this retention of scent is voluntary on the part of the bird, it is very difficult to ascertain. It is a very strange power if it be voluntary, yet not more strange than many other of the instincts possessed by wild animals.

There is one thing that would lead to the conclusion that it is voluntary, or, at least, that the bird is conscious of the fact.—This is, that under these circumstances the birds will not rise at all, until they are literally almost trodden upon. It was very long before I could bring myself to believe in the existence of this singular power of suppression; and very many times, after having marked down a bevy to a yard, in favorable ground, and having failed to start them, I have left the place, concluding that they had taken to the tree, or risen again unseen by me, when, I am satisfied, had I waited half an hour before proceeding to beat for them, I might have had good sport. I will here observe, that although quail do, beyond doubt, occasionally take the tree, in certain localities, and in some kinds of weather, so far as my experience goes, they do so rarely when pursued, and then rather in consequence of some particular habit of a single bevy than of any natural instinct of the bird.

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Once again—and I have done with the difficulties of finding; particular

bevies, endowed with that singular craft which approaches so very nearly to reason, that it hardly can be distinguished therefrom, will fly when flushed invariably for many days and weeks in succession to some one small out-of the-way nook or clump of briars, so long as that nook is undiscovered, thus baffling all attempts to find them.

In one instance, while shooting in the vale of Warwick with my old comrade, Tom Draw, when returning home late in the evening, and when within two hundred yards of his hospitable tavern, he said he thought he could start a bevy by the stream-side, where he had observed that they often roosted.

Accordingly, we went to the place, and had not gone ten yards into the bogs before the setters, of which we had three, all came to their point simultaneously, and a large bevy of sixteen or eighteen birds jumped up before them. We got in our four barrels, and killed four birds handsomely, and marked the birds over the corner of a neighboring wood, lowering their flight so rapidly that we had no doubt of finding them on a buckwheat stubble, surrounded by thick sumach-bushes and briary hedges, which lay just beyond the grove.

We waited till it was quite dark, however, without moving the birds. On going out the next morning, we drew the bogs blank, and it became evident that they had roosted in the place, wherever it was, to which they had flown on being disturbed.

We set off therefore again in that direction, hoping to find them or their feeding ground, but spent the greater part of the morning trying for them in vain.

We then took our dogs in a different direction, and after a day's sport, whether good, bad or indifferent, I do not now remember, again found our bevy in the same bogs, killed a brace of birds only, in consequence of their rising wild and the evening having grown dark, and again marked them over the same wood corner—the birds literally flying over the top of the very same crimson maple which they had crossed the previous evening.

It was too late to look further after them that night, and I knew that they would not be in the bogs on the following morning; we took therefore a different track, and heard no more of my bevy.

On the third day, however, being *piqued* by the escape of these birds, I determined to spare no pains to find their hiding places. We proceeded accordingly to the bogs the first thing in the morning, found them before they had quitted their roost, and drove them for the third time over the top of the same red maple.

These birds, be it observed, were on Tom Draw's own farm, every inch of which we know thoroughly, and on which there was not a brake or tuft of rushes likely to harbor a single bird, much less a bevy, with which we were not acquainted.

We spent four hours beating for these birds again in vain, and left the ground in disgust and despair.

In returning home, however, that night, we re-crossed the same fields, and expecting nothing less than to find game, I was walking down the side of a snake fence, along which grew a few old apple-trees, with my dogs pretty well fagged at my heel, and my gun across my shoulder. Suddenly, out of the mouth of an old cellar, over which a cottage had stood in past days, up whirled a bevy of quail, and away over the very same tree top, but now in the opposite direction.

On examining the cellar, the inside of which was filled with briars and weeds, we found conclusive proof in the numerous droppings of the birds, that they had been in the constant habit of roosting therein, attracted thither probably in the first instance by the apples which had fallen into the hollow from the trees overhead.

It was as yet but early in the afternoon, and we were so near home that we got fresh dogs, and went to work at them again in the bogs where we originally found them. Some time had elapsed, and they had run together into a single knot, rose again very wild, and flew directly back to the old hiding place.

Thither we followed them at once, flushed them therein, proving most unequivocally that they had always lain perdue in the same small spot, and drove them out into the open.

It was too dark by this time to pursue them any longer; and afterward, though

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we found them constantly in a different part of the bog-meadow, neither as a body, nor as single birds, did they ever betake themselves again to the cellar for refuge,

Had I not accidentally blundered on that place, when thinking of anything rather than of the birds, I might have hunted for a month over the ground without finding them. From the cavity and the narrowness of the mouth, a dog might have gone within a yard of it without scenting them, and I have no doubt that mine had been more than once within that distance of them.

And here I have done with the difficulty of finding, which, by the way, is not the least step toward killing our bird.

He is, however, no less difficult to kill, when found, than to find in the first instance. When first flushed, the bevy rise with such a whirring and tumultuous noise, that they are very apt to flutter the nerves of a young sportsman; and, if they rise very close to the shooter, I have often seen even tolerably good shots discharge both their barrels fruitlessly, from doing so much too quickly.

This is not, however, by any means the difficulty to which I allude, as an old and steady shot is, of course, presumed to be proof against such tremors, and, in the open field, under ordinary circumstances, ought generally to kill his double shot out of every bevy that is pointed and flushed within fifteen paces.

The case becomes, however, altogether different after the birds have become scattered in coppice, or yet worse, in high saplings, the very thickest part of which they most affect after being once disturbed.

There is no bird which I have ever seen that can in the slightest degree compare with the quail, for the rapidity with which it takes wing, and the short space which it requires to get under full headway. It really is wonderful to observe the extraordinary speed and command of wing with which this bird will dart through the most intricate and tangled brake; yet I have never seen a single instance of their flying foul of a tree or getting entangled in a thicket, as will sometimes happen to the ruffed grouse, and much more frequently to the European pheasant.

The quail flies, as I have said, with extreme rapidity in a direct line, rather ascending for the most part, but rarely or never dodging and pitching to and fro, like a snipe or woodcock. It has a habit, likewise, if not pointed, of lying hard until you have passed it, and then flirting up behind your back; in which case, your first intimation of its whereabout is the sharp whirr of its wing, and you must bestir yourself, hastily indeed, yet coolly withal, and you must have the eye of instinct and the nerve of steel to cut him down handsomely, under such circumstances.

It may be added to this catalogue of difficulties, that, in flying *from* you, as the quail does in a great majority of cases, he presents to the aim of the sportsman a vital centre, little larger than a cent piece, with two radii formed by the slender pinions, in which small target four or five shot must be lodged to bring him down with any certainty; so that it will not appear remarkable if, with a gun that scatters its charge, even a good shot miss this bird, even at a short range, and if, at thirty or forty paces the very best guns, aimed with perfect precision, fail frequently of killing clean.

The quail is a very brave bird, moreover, and will carry off a great quantity of shot, if not lodged in a vital part, and will frequently, even when mortally wounded, particularly if shot through the brain or heart, and going before the wind, fly till life leaves them in mid-air—and, even after that, will be propelled by the rapidity of their previous motion and the buoyancy of their still extended wings, for many yards farther in a descending line.

A singular instance of this occurred to myself, while shooting in the Highlands of the Hudson, nearly opposite West Point, with two friends, in November, 1839.

We were beating a bare field on one of the lower hills of that chain, in which were several shallow ravines lying nearly parallel to each other, pointing transversely downward.

I was in the lowest of these gulleys with a brace of dogs, and perhaps a hundred yards in advance of my companions, each of whom, with one

dog, was making good another parallel gorge.

The wind was blowing keenly and coldly on our backs, and before us lay a long range of open fields sloping steeply towards the river, with a piece of young woodland, bounded by a stone wall on the hither side, beyond them.

Finding no game myself, I was suddenly put on the alert by the quick shout—"Mark! Mark!" from behind me, somewhat to my left; and in the next moment a large bevy of birds, which had been raised by my friends and circled round my back, passed me within twenty paces to the right.

It struck me at the time, that I never had seen birds fly so fast; they had already traversed sufficient space to have gained the full momentum of their own velocity, and all the impetus that the swift wind, directly before which they were flying, could give them. I was shooting with a gun that carries its shot very closely, and that loaded with Eley's patent cartridge, which are propelled full one-third farther, and more strongly than loose shot;—and, to conclude, I was perfectly cool, and making allowance for the distance and velocity of the birds, fired both barrels. To my infinite disgust, neither bird fell; and, I need not add, to the infinite mirth of my companions, who accused me of missing two perfectly fair shots in the open.

I replied, thereby greatly increasing their merriment, that I had not missed either bird, and that I had hit both in front of the wing—that is to say, in the most vital part of the body; at which they laughed ineffably; but in the end it turned out, as usual, that the last laugher has the best of it.

But to proceed—we marked the bulk of the bevy into the woodland I have mentioned, at least half a mile downwind, and followed them thither.

But arriving at the stone wall which bounded it on the nearer side, both my dogs stood almost simultaneously, and immediately retrieved the two birds I had shot at, perfectly dead, but both warm, and both *bleeding from the bill.*

The shots I fired were the first shots fired that morning; consequently they must have been my birds, and they had flown, after being mortally struck, above half a mile, and would probably have flown considerably farther, skimming close to the ground, had not the stone wall, against which I have no doubt they struck, brought them up at last.

From curiosity, I kept the two birds apart, and on picking them, found in one five, and in the other seven No. 6 shot, in the neck and breast in front of the wing.

The comparative size of No. 8 shot to a quail is about that of a grape shot to a man; and to judge of the tenacity, life and muscular motion, we must imagine a man running half a mile at the top of his pace with seven grape shot, as big as a moderate-sized plumb, through his neck and the cavity of the sternum—a thing palpably impossible!

We will now proceed to the consideration of the means of overcoming these difficulties, and the best method of carrying on the pleasant and exciting pursuit of this beautiful little bird.

From the greater difficulty of finding and killing quail, it follows, of course, that a greater combination of qualities in the dog with which we hunt them is required.

For snipe or woodcock-shooting—the latter especially, which is pursued in very close cover, for the most part—we require only a dog with good hunting qualities, under excellent command, broken to hunt extremely close to his master, and never to go beyond the range of his sight. Indeed, if he do not hang upon stale scents, and potter where birds have been but are not, a dog for woodcock-shooting can hardly be too slow or too steady.

Now, all these qualities are essential likewise to the quail-dog; and without these qualities the sportsman can have no success when he has attained the first object of his morning's work—the driving and scattering his birds from open grain or grass fields into covert, wherein they will lie hard, and rise singly, which constitute the only circumstances under which, north of the Delaware and Potomac, it is possible to bag many quail.

Yet this is far from all that we require in a quail-dog; for, as we are compelled to seek for our birds in the open feeding-grounds, while they are running in the early morning, and as our day's sport mainly depends on finding a considerable number of birds during that short time, which ends, at the latest, by ten o'clock in the morning,

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and earlier in warm, sunny days, it follows, that the more ground we can get over in a given time the greater the chance of success.

We require, therefore, that our brace of dogs, while beating open ground, should have dash and speed enough to run almost like fox-hounds on a breast-high scent, heads up and sterns down, quartering the field from fence to fence, in opposite directions, and crossing each other mid-way; that they should be so staunch and steady as to allow the shooter to come up to them from five or six hundred yards' distance without breaking their point; and, lastly, that they should be under command so perfect, that, on getting into covert, they shall cross and re-cross their ground fifty times, never budging twenty yards from the feet of their master, and working as slowly as the slowest cock-dog.

It will be seen at once that such a combination of opposite qualities must needs be very rare; and so rare is it, that, for every hundred of good woodcock-dogs which I have seen in this country, I have not seen ten equally good for quail.

I shall not touch here on the comparative and much-disputed excellence of the pointer or the setter, except to observe, that, personally, I greatly prefer the latter; while I admit, that, for persons who shoot but rarely, and who do not like the trouble of constant supervision of their dogs—I had almost said constant dog-breaking—the pointer is the most suitable companion.

I have, however, seen—indeed have owned, setters which, in all points of steadiness, might have competed with the staunchest pointers, and which were as careful, and under as good command on the first as on the last day of the season.

I will now suppose that the sportsman has arrived at his shooting-ground, and taken up his quarters in his snug country tavern for the night, previous to commencing operations in the early morning, over a brace of good dogs—pointers or setters, at his own option.

First, then, let him see his dogs, which I will suppose have run some part of their journey on foot, well suppered on mush or suppawn of Indian-meal, or oat-meal, seasoned with a little salt, but no meat, which injures the nose; and well bedded on clean wheaten straw. Next, let him sup lightly, limit his potations to the second glass, and eschew a second pipe or cigar. Let him to bed early, that he may sleep well, and rise refreshed and with steady nerves.

These are small matters, doubtless; but it is the observance of small matters that makes great men in any line, and in our case, *good* sportsmen.

One word to his *dress*, and then to the field. In my opinion, infinitely the best adapted garb for the nether man of the shooter, is old-fashioned knee-breeches of corduroy or fustian, made loose on the thigh, and snug at the knee, with stout laced ancle-shoes, and leather-gaiters or overalls—these can, by the way, be obtained in perfection only, and at a very moderate price, of Mr. Brough, at No. 176 Fulton-street, New-York, who imports also the diamond, and coarse-grained ducking gunpowder, and Starkey's waterproof copper caps, which are the ne plus ultra of the articles in question, and without which no sportsman can hold himself well-equipped.

Having his shoes well anointed with equal parts of tar, tallow, and Venice turpentine, he may set any moderate quantity of water at defiance; his gaiters will turn the strongest thorns; and he will not be tripped up by stubs insinuating themselves *up* the legs of his trowsers, or carded by burrs and thistle-heads diving *down* the legs of his boots.

Let the sporting reader try this rig, in defiance of its antiquated show; let him possess his mind independently, and scorn the laughter of shouting urchins, and the upturned noses of admiring beldams, and my word on it he will not rue the counsel.

Next, let his coat be short-skirted, single-breasted, and very easy. No man can shoot with his arms pinioned and his breast padded like those of a trussed pigeon. I never knew a fashionable tailor who could make a shooting-jacket that a man can shoot in; if there be one who can, let him make it known, and he can make his fortune.

Then, it must have game-pockets, occupying the whole width of the skirts, on the inside, and enough pockets on the outside to enable him to carry every article,—powder-flask, shot-pouch, much better than a belt—copper caps, wad-

ding, dram-bottle, and dog-whip, all separate.

Then, with a stout scullcap of felt, I think it the best, with a good peak before to shade the eyes, and a fall behind to guard the neck from rain; with a good knife in his pocket, a gun-picker made of a darning-needle, headed with sealing-wax, in the seam of his jacket; half a pint of golden sherry in his flask, a pound of diamond gunpowder in his horn, four pounds of No. 8 shot in his patent-lever flask, his double gun in his right hand, and his brace of dogs at his heel, he may hold himself a well-equipped, or as the sailor's would say, well-*found* sportsman.

To make the outfit perfect, however, he should have a man along with him to mark, who should carry six or eight pounds of spare shot, in a belt, over one shoulder, a large game-bag over the other, and a good hickory rod in his hand, which, in case of breaking a ramrod, may supply its place for the nonce.

Thus armed and equipped, he can hardly be afoot too early after the day has dawned, for the sun is not well up before the quail are afoot, and this is, *par excellence*, the time to find them.

I have found it impossible to get out early enough to do execution, from any country tavern, if one waits until a hot breakfast is prepared. My method, therefore, is to take with me a cold ham, or a cold hunters' round, and to have the table laid over night, with bread, butter, and cold milk, on which, for my part, I can breakfast very satisfactorily.

This done, if you know the country, go to the place where are the most and likeliest grain stubbles, lying near to good woodland or coppice covert, and beat them regularly, in such a manner that the woods shall be down-wind of your beat. Let your dogs, however, beat every field up-wind, by which means they will scent their birds one-third farther than if you go down-wind.

Look especially to the sides of the fields, particularly if they are bushy; quail do not affect the middle of fields.

If your dogs trail a running bevy, never run or hurry them; they are, if you do, nearly sure to flush them wild. Be, on the contrary, very steady, and cry, "steady! steady! To, ho!" words to which dogs should be accustomed early.

If your dogs point, and are so very staunch that you can depend on them, it is not a bad plan to make a wide circuit, and get ahead of the bevy, which, even if wild and running, will often squat on finding themselves enclosed between the dog and the gun, and thus afford good shooting.

If you drive a bevy of quail into good covert, be not in haste to follow it. It will stay there, be sure; and you will find them far more certainly after half an hour has elapsed. For myself I have found it the best plan, where woods are small, and the covert thick, to go on beating the open fields, without following the birds at all, marking them down carefully when they rise, until the feeding and running hour has passed; then go to bevy after bevy, after you have seen them alight; and knowing their whereabout, if not the exact spot where they lie, your dogs will soon find them.

Otherwise, if you waste the morning in killing off the bevy, by the time you have done with it the birds will have crept away into their hiding-places, and you may hunt the woodskirts, and brush-holes all day long without finding a bevy, even where they abound, unless you blunder upon one by chance.

During the heat of the day, if you have not found birds in the morning, although it is pretty much chance work, bog-meadows, brown bushes, on southerly and westerly hill-sides, old pastures, with much bent and ragwort, and the skirts of coppices, are generally the best ground; though, in some regions, you will find the birds in large open woodlands.

In the afternoon, soon after 4 o'clock, the bevies again begin to run and feed; and in this part of the day you will frequently find them running along the grassy margins of streams which flow through pasture fields, whither they resort to drink, or at least to crop the wet herbage.

So good is the chance of sport at this time, that I would urge it strongly on the sportsman who has failed of finding bevies on the feeding-ground in the morning, if he *know* that there is a fair show of birds in the district, not to persist in wearing out himself and his dogs, by fruitless toil, in the heat of noon, but rather to await the cool afternoon, when he will very often make up for

lost time, and get a heavy bag, when circumstances have looked least auspiciously.

I have now rigged my sportsman, set him fairly in the field, and shown him how best he may find his birds—more is beyond my means.

A crack shot must, in some sort, be born; but most persons, with good eyesight and steady nerves, may attain to respectability, if not excellence, in this gentleman-like and manly art.

To this end, practice and coolness are great desiderata. Rules, I think, avail little, if any thing. I have seen men shoot excellently, who closed one eye to take aim,—excellently, who shot with both open: never, however, I must admit decently, who *shut* both; not, by the way, a very uncommon occurrence with beginners. I have seen men, again, shoot excellently, carrying their guns at full-cock; excellently, who never cocked either barrel till in the act of firing.

There is, however, one thing to be observed, no man can shoot well in covert, or at snap-shots, who follows his bird with his gun, or dwells on his aim; the first sight is always the best, and it is *deliberate promptitude* in catching this first sight, which alone constitutes, what poor J. Cypress, Jr. used to call the rarest work of nature—a truly cool, truly quick, *crack shot.*

*The Cedars, March,* 1846.

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## JACKSON.

BY J. R. ORTON.

MAN of the honest heart and iron will!
Cold is thy form and dim thine eagle eye:
Earth bids the a good night, and tower and hill
Wave their black flags upon the solemn sky.
The booming guns and pealing anthems, high,
Hallow thy exit to the realms of light.
The cot, the palace, heave alike the sigh,
And sorrowing tell thy deeds and honors bright—
A mighty Nation weeps at bidding thee, good night!

Thou wast a star of glory to thy friends:
Thou wast a scourge of terror to thy foes.
As the soft sunshine with the torrent blends,
Blended thy mighty purpose and repose.
For thou wast all alive to human woes,
The loving husband and the gentle sire:
And as the sods upon thy mortal, close,
Fame lights her altar with unwonted fire,
And gives thee to our hearts; thy pæans to the lyre.

Man of the Age! thy voice of humble prayer,
Which called down blessings on thine enemy—
Thy battle cry which terrified the air,
And woke of old the land to chivalry,
Are mute: and yet their echoes will not die—
For thou hast left thine impress on the World.
Thy name shall light the Nations, as they try
The issues of the future; and, is hurled,
Man's last defiance, forth, and his last flag unfurled.

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# REPORT OF THE SECRETARY OF WAR, TO THE PRESIDENT, FOR 1845, AND ACCOMPANYING DOCUMENTS.

It has been often made a subject of reproach, that the messages of the Presidents to Congress, and the "accompanying documents," as they are termed, are spun out to an unreasonable extent, embracing many matters of mere detail, which might as well be withheld from the public eye. But we cannot agree with these critics, who seem to have taken the short, and purposely, unmeaning speeches of royalty, from European thrones, as their models; forgetting that our official documents are meant to be understood; that the annual messages to Congress, and the reports connected with them, (on which the President himself mainly relies for the materials from which to prepare that important communication) are expositions of the affairs, foreign and domestic,—of the public policy, the interests and the wants of a great nation, numbering nearly 20,000,000 of inhabitants, spread out from the 26th to the 49th degree of north latitude, and from the Atlantic to the Pacific Ocean; a vast extent of territory, embracing within its bosom every possible variety of soil and of climate—of mineral and of agricultural wealth.

It must also be borne in mind that our cabinet ministers are not members of either house of Congress, and have, therefore, no other means of communication with the legislative branch of the government, or of making known their views of public policy to the country, than by resorting to the medium of written reports. These papers form an important and authentic part of the materials of our history, and expose, with the minutest detail, the whole machinery and operations of our federal government; and it is this very fact that confers on them their inestimable value. Every citizen of the Republic, who can read, may thus understand the whole practical action of his government for the past year, and its prospective general policy for the year to come.

In looking over this "Annual Report," consisting of 893 closely-printed pages, we have been particularly struck with that portion of it which is devoted to the transactions of the *Department of War*—a designation, by-the-by, which conveys but a faint and inadequate idea of the duties and responsibilities of that office, which are by no means confined, as might be supposed, to the enlistment, subsistence, and discipline of our small army of 8000 men. There is, perhaps, no executive department of the government better organized, or more judiciously administered, than that of the War Department. Its principal duties are divided amongst numerous bureaux; and at the head of each is placed an intelligent, responsible, and experienced officer, to whom its legitimate details are confided, the Secretary of War (the cabinet minister) being the consulting and controlling head of all. The chiefs of these *military* bureaux, not being removable except for cause, and keeping prudently aloof from party entanglements, bring to the discharge of their various duties the accumulated knowledge and experience of many years. The consequence of this system is, that although the changes of the political head of the department take place too frequently, (there having been four Secretaries of War during Mr. Tyler's brief term) the policy of the department remains unchanged, its action continues unimpeded; and we think that we can recognize in the reports before us, that order, system, and good management reign in these well-administered bureaux; and that the distribution of mental labor, introduced into the War Department, is well calculated to produce the happiest results, by bringing into harmonious action the different portions of the public service connected with this important branch of our national defences. The annual statements from these officers are unvarnished, unpretending papers, rendering in plain language, an account of their stewardships, and pointing out the wants of the particular service committed to their care. Mr. Secretary Marcy's report to

the President, for the last year, is a model of its kind,—written in a pure and severe style, it is full, without being prolix, just and liberal in its recommendations, and impartive in the general resumé of the operations of the several offices under his supervision. It is, in a word, what it ought to be—*a business state paper.*

Of the reports from the various officers of the War Department, it is not now our intention to speak: but, without meaning to draw any invidious distinctions, we have selected, as the subject of a short review, the report from Col. Abert, the chief of the Bureau of Topographical Engineers, as the one most likely to interest the general reader, from the varied and miscellaneous objects to which it is devoted.

In speaking of this portion of the public service, Mr. Secretary Marcy observes,—

"The report from the chief of the Corps of Topographical Engineers, hereto appended, has been prepared with care and industry; it embraces objects of great public concern, and furnishes most desirable information, in regard not only to the works upon which expenditures have been made during the last season, but to those which are likely to be prosecuted during the ensuing year. The details of the operations, and the results of the past year, furnish satisfactory proof of the advantages of confiding the executing, as well as the planning of, works of this character to men of scientific acquirements, professional skill, and practical experience. Such duties are properly assigned to those who, by education, constant study, and long laborious practice, have acquired the requisite qualifications to superintend and properly execute them. The objects brought into view in the report of the Topographical Bureau, are not of an exclusively military character, but many of them, however, have an intimate relation to the defence of the country, and all are regarded as public works, directly connected with, and essential to, our external or internal commerce. Most of these works were authorized and undertaken some years ago; but little was done upon them during the past year, in consequence of the failure of the appropriations for that purpose."

The great northern lakes were naturally almost destitute of good harbors; and their navigation was rendered most perilous to life and property, from the want of adequate protection against the violent tempests which so frequently rage, with unmitigated fury, over those inland seas. As the settlements extended to the west, the wants of the countries bordering on the lakes were brought to the notice of Congress; and, in 1824, appropriations were, for the first time, made for the purpose of constructing artificial havens where nature had refused her aid. At first, these attempts were regarded as mere experiments, and the plans limited to the then restricted wants of the commerce of the lakes, and to the most economical mode of construction, without reference to the rapid increase of population and wealth which has since grown up, as if by magic, on their shores.

The works first erected were, to some extent, mere temporary expedients, and were not looked upon as forming a part of a great system better adapted to an extensive commerce. Many errors of plan and location were, no doubt, made, and many mistakes committed. The only wonder is, that there have been so few, and that the attempt has been, on the whole, crowned with such signal success. In connection with this subject the Secretary says:

"The works, so far as they have been prosecuted, give abundant assurance that the anticipated advantages will, in the end, be realized to the fullest extent. It may be proper to remark, that these improvements are not without benefit, in a military point of view. Should it ever become necessary to have a naval force upon these lakes, the numerous and commodious harbors thus provided by the aid of the government will contribute to its safety and successful operations. Besides, there are now employed in the commerce of these lakes, a great number of large-sized and stoutly-built steamers, which would not have been placed there by individual enterprise, but for the safety and accommodation afforded by these harbors. In case of a public emergency, these steamers can be expeditiously converted into effective vessels of war, and rendered subservient to military operations. Nor are the economy and facility of transporting troops, munitions of war, and supplies, to be overlooked in estimating the public advantages of the lake improvements. It is also said, that our best seamen are those who have been trained in the navigation of our lakes."

And again,—

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"The number of lake-harbor improve-

ments, authorized by law, is twenty-six. Good harbors have been made where none existed before, and the expenses of construction have not in the whole, exceeded the estimates prospectively presented. These results give assurance that the plans were judiciously conceived, and the work economically and skilfully executed."

We are also informed by the same authority, that the estimates for the ensuing year, included only those works which have been already *authorized by law*; it being regarded as a clear manifestation of the intention of Congress to complete a work, after voting an appropriation for its commencement.

The remarks of the Secretary on the subject of river improvements, are so just and forcible, and withal so condensed, that we cannot avoid extracting them entire.

"Nor is it scarcely less important, in a commercial point of view, that the helping hand of improvement should be extended to the natural avenues for conveying the abundant productions of the west to the Gulf of Mexico and the Atlantic coast; the Ohio and the Mississippi on the one side, and the Hudson river on the other. The progress of the work, on the two former rivers, having for its main object the removal of obstructions, has been, in a measure, suspended during the past season; means not having been provided at the last session of Congress for that purpose. Looking to the vast interests subserved by this improvement, and to its unquestionable public character, scarcely a doubt is entertained that it will be resumed; estimates for its further prosecution are, therefore, submitted in the accompanying report of the chief of the Corps of Topographical Engineers. In the same report will also be found an elaborate and interesting exposition of the present condition of the Hudson river; of its importance in regard to commerce and to military movements, as one of the main avenues of communication from the western states to the seaboard; and the channel through which a considerable portion of the trade between these states and the Atlantic must necessarily pass; of the difficulties which now embarrass its navigation in the vicinity of Albany; of the success of former expenditures, and the plans and probable cost of further improvements, called for by so many and such important public considerations. That part of the report which brings into view the Missouri, the Arkansas, the Red river, and the harbor of St. Louis, exposed to injury by a tendency to a change in the current of the Mississippi, at that place, deserves serious consideration. Recent events, and the opening scenes in the southwest, have given increased importance to the navigation of the Arkansas and Red rivers. They open direct communications with an extensive frontier, which requires to be guarded by military posts. The improvement of these rivers, on this account, as well as from considerations of a more general character, is embraced among the public works presented by the Topographical Bureau for the patronage of Congress."

We learn from the report of Colonel Abert, that the Corps of Topographical Engineers "consists of *forty-three officers*, several of whom are brevet second lieutenants." Of this small force, there were, at the date of the report, (6th Nov., 1845,) one officer (the colonel) stationed at Washington, in the charge of the bureau, with one officer as assistant; *six* officers on the survey of the northern and western lakes; *seven* on the survey and demarcation of the North Eastern Boundary; *four* with the army in Texas; *three* on the survey of the Atlantic coast; *six* on the survey of the Dry Tortugas, and the reefs of Florida; *three* in Oregon; *one* with the 1st regiment of dragoons, recently returned from the Rocky Mountains; and the remainder stationed in various parts of the country, superintending the improvements of rivers and the construction of roads and harbors —*every officer* being on duty. From this statement it will be seen that *thirty* out of the *forty-three* officers are employed on the extreme *frontier* of our widespread Republic, leaving but eleven officers (after deducting the two at head-quarters) for miscellaneous duties, and for the supervision of the forty-seven civil works, rivers, roads, and harbors, "authorized by law;" a force obviously disproportioned and inadequate to the services required of them. In connection with this subject we find some excellent and well-considered suggestions from Major Graham, the gentleman in charge of the North Eastern Boundary survey, whose experience, on this and similar duty, has demonstrated the utility and economy of attaching to the Topographical Engineer Corps, non-commissioned officers, for certain purposes. These non-commissioned, or warrant officers, might be designated as *artificers* of the corps of

TOPOGRAPHICAL ENGINEERS. A small detail, consisting of 1 sergeant, 1 corporal, and 8 privates, from the 2d regiment of artillery, was placed at the disposal of the commission, and were found to be extremely useful in the more subordinate and practical operations of the work, such as noting the time of the chronometers for the astronomers, and recording the observations as announced; in preparing catalogues of stars suitable for the particular object in view; in looking out logarithms for computation, and in performing some of the elementary calculations; in the care of astronomical apparatus while travelling; in running exploration lines, and plotting field-work, and as chain-bearers and instrument-carriers. All these duties were, of course, closely supervised by the officers, who had been previously at the trouble of imparting to them the necessary instructions for these purposes.

Major Graham urges the following cogent, and to our conviction, conclusive arguments in favor of incorporating men of this description with the permanent organization of the corps:

"A great saving of time, and security to the apparatus, has resulted from this system. The greatest inconvenience attending it has been the frequent desire to have the men returned to their regiments, and their places supplied by new details.

"It would add greatly to the practical usefulness of the corps, and also tend to economy, if instead of these details, which are liable to change, and consequently, a loss to the service of the experience and practical efficiency previously acquired, a certain number of non-commissioned officers and men could be permanently attached to the corps, by regular enlistment. So small a number as twelve sergeants, twelve corporals, and one hundred privates, would allow a small detachment to be assigned to each separate command, charged with an important operation in the field. The expense of such a body of men would be much less to the government than is incurred by the usual expedient of hiring men for a short time, and discharging them at the end of each tour of field service.

"By the present system the government never retains at its command the experience and instruction which have actually been imparted at its cost; and yet the cost, in the course of a year, is quite as great, if not greater, than would be incurred by having so small a number as is suggested, constantly in employment, under a rate of pay, diminished in proportion to the increased value to the employed, of permanent beyond temporary employment."

We doubt not that the expenditure for labor alone, on the present survey of the Dry Tortugas, would be more than sufficient to defray the entire expense of the proposed organization for a whole year.

It seems to us, from a careful revision of the subject, that not only is the addition of "artificers," recommended by Major Graham, necessary: but also, that an increase of the commissioned officers is essential to the prompt and efficient discharge of the multifarious and important duties confided to this useful and enterprising corps.

The report from the Topographical Bureau is very voluminous, and yet it would be difficult to point out any portion of it that could with propriety be omitted. It presents to the consideration of the Secretary of War a classification of the services rendered during the year, by the officers, under his orders, and of the several works committed to their charge. It enumerates amongst them the following, viz:—1st, "Surveys for the defence of the frontiers, inland and Atlantic." These are *exclusively* for *military purposes*, while they may, at the same time, often subserve the wants of commerce and navigation; for sites for fortifications, and for military reconnoissance of parts of the coast, of the vicinity of towns and forts, and of the inland frontier, whenever, in the opinion of the Secretary of War, such examinations are required. In reference to these matters, the colonel very pertinently remarks: "But surveys of this kind are considered *confidential*, and are preserved in the archives of the bureau, accessible only to the departments, and to such bureaux as require for their duties the information they contain." The impropriety of publishing to the world maps and charts, which may serve to pilot an enemy into the heart of the country, must be, one would think, but too obvious, even to the most superficial observer.

We have already adverted to the division of labor which has been introduced into the operations of the War Department. The subject of military

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surveys will afford us one striking illustration of its advantages. It is suggested, for instance, that a particular portion of the coast, or of the inland frontier, requires the erection of artificial defences. The Secretary of War, at his discretion, directs the chief of the Corps of Topographical Engineers to cause the necessary investigations to be made for this purpose. He accordingly details a competent officer for this duty, and gives him general instructions, in writing, as to the district of country to be examined, the nature of the facts to be collected, and the more or less minute character of the survey required. After the preliminary explanations have been completed, a certain position is selected as the site to be occupied, with permanent works of fortification. If on the sea or lake coast, the water and land approaches are examined and laid down with extreme minuteness, and the whole position, (frequently for miles around the proposed site,) is traced in horizontal curves, commencing at some two or three feet above the water-line, and rising at regular intervals to the tops of the highest hills. These curves are, in fact, the *traces*, on the earth's surface, of imaginary horizontal planes, which are supposed to intersect the ground at vertical heights of three feet from each other; when projected on paper, these curves represent, with every conceivable particularity, the entire and minute contours of the ground covered by the survey. The greater or less differences between the curves, *in horizontal projection*, indicate the greater or less degrees of acclivity between the curves on the *earth's surface*. These surveys furnish all the elements necessary for the project of the defensive works—as profiles may be readily formed on lines drawn in any required directions. So, also, the problems of defilement may be easily solved. With so much precision are these surveys executed, that the entire works of defence may be designed hundreds of miles distant from the position to be occupied, and by an officer who has, perhaps, never personally visited the locality.

When the surveys, charts, and maps are completed, the duty, so far as the Corps of Topographical Engineers is concerned, is terminated: the results are then referred to the chief of the Corps of Engineers, under whose direction the plans are arranged, and the works, including casemates, magazines, furnaces, barracks, &c., &c., are built. In the meanwhile, the Corps of Ordnance have been engaged in casting cannon, constructing gun-carriages, and preparing fixed ammunition; and to them is assigned the important task of *arming the fortress*. When this is accomplished, the work is occupied by a garrison from the troops of the line.

We shall not now attempt to notice —except in a very brief and general way—the vast importance, in a military point of view, of exact topographical information in the movement of armies. Military history abounds with instances where the fate of battles and of empires has depended on it. The existence of a road, of a ford, of a bridge, of a mountain-pass, or of a ravine, known only to the one party, has often more than counterbalanced a great numerical superiority on the other side. The topographical engineer has been emphatically called the *eyes* of the commanding-general, for it is through him he *sees* the country in which he is operating; and on him he must mainly rely for much other information which he can rarely procure from other sources. Napoleon seldom moved without a trusty officer of this description at his side, who was continually in attendance, with his maps *ready at any moment* for the inspection of the emperor.

One very considerable advantage possessed by the allies over their opponents, in the campaign of 1815, consisted in their superior topographical knowledge of the Low Countries. It is said, that before the return of the French emperor from Elba, the Duke of Wellington had made, in person, a reconnoissance of the country lying between Brussels and the frontier towns of Mons and Charleroi, and selected Waterloo as the field of battle for the defence of "Belgium's ancient capital," in case the enemy should débouche from the latter town. We think it will be obvious, to the military reader of the history of that campaign, that the French etât-major had neglected to obtain very exact topographical information in relation either to the defile of Genappe, (through which the whole

British army, engaged on the 16th of June, at Quartre Bras, was compelled to pass, on the 17th, in retiring towards Brussels,) or of the field of Waterloo. It is asserted that they were even ignorant of the existence of a *brick wall*, (which the British had crenelled) around the garden of Hougoumont, until their troops charged up to it, through the woods, and were forced to withdraw by this unexpected obstacle.

So much importance was attached by the Prussians to this kind of information, that a careful *instrumental survey* of the whole field of *Ligny* and the adjacent villages was made by Gen. Count Greisenau before the battle began; and to the advantage resulting from this intimate acquaintance with the locality of the scene of strife may be, in some degree, attributed the stout resistance which they offered to the French grand army. A knowledge of the cross-roads leading from Sombref, enabled Blucher to perform his masterly manœuvre on Wavre, with a *beaten army*, under the eyes of Napoleon, and to elude the pursuit of one of his field-marshals. It was, in a word, this thorough knowledge of the country, and the want of it on the part of Soult and Grouchy, that enabled him, by a bold *flank* movement through the pass of St. Lambert to join the "Iron Duke" on the field of Waterloo, and thus to terminate forever the career of the GREATEST CAPTAIN the world ever saw.

We regret that the limits which we have prescribed to ourselves in this article will restrain us from pursuing the subject further. A volume might be written upon it, full of interest and instruction, illustrated by striking events from every campaign, and almost every memorable battle of the present century.

2d. "*Military and geographical surveys* WEST *of the Mississippi.*" The conduct of these operations is confided to the enthusiastic and indefatigable Fremont, whose explorations "west of the Mississippi"—(which we suppose to mean *west* of the "Rocky Mountains," in *California and Oregon,*) have met with the universal approbation of the country. Few books have been recently read (in this reading age) with more avidity than Fremont's reports. There is in them a singular mixture of poetry, science, and wild and romantic adventure, equally captivating to all classes of society; and one scarcely knows which most to admire—his modesty, his energy, his courage, or his ability. The government has not been unmindful of his merit; and it is to be hoped that he may soon attain still higher honors. Sure we are, that few would more richly deserve them—none wear them more becomingly.

These expeditions west of the Mississippi, which have been so fruitful in scientific results, *purely American*, were commenced with small means, and have been, since, prosecuted in the same spirit of economy. Mr. Fremont, a young man, a second lieutenant of topographical engineers, was *ordered* to take the command; and he *obeyed* the order, (as any other one of his brother officers would have done,) not only with alacrity, but with pleasure—glad of the opportunity thus offered him to acquire distinction "in these dull, piping times of peace."

"An estimate of $30,000 is submitted for the prosecution of these surveys."

3d. "*Survey of the Lakes.*"

This operation is in charge of the lieutenant-colonel (Kearney) of the corps, an officer whose rare scientific attainments, philosophical character of mind, and long experience on similar duty, admirably adapt him to this service. This survey seems to have been rightly considered, by those entrusted with the direction of affairs, as the most important command in the corps, and would naturally have been assigned to its second officer, even if his acknowledged abilities and eminent qualifications had not marked him as the fittest person for this responsible service.

The following extract from the report will convey some idea of the nature and extent of this survey:

"The coast of these bays in themselves constitute an extent of several hundred miles; but in addition, the lake coast alone is not less than 3,500 miles, without including the foreign coast of the lakes, which makes about 2,000 miles more."

It seems to us, that, looking to the importance of this survey—not inferior in scientific interest, nor in extent, to the Atlantic coast, and scarcely so as

regards the wants of commerce and navigation, the appropriation asked for, ($25,000,) is wholly incommensurate with its consequences, and inadequate to its vigorous prosecution. It is true, that this fund is not taxed with large salaries to civil employées, the whole work being executed by officers of the corps; besides which, the officers in charge of the harbor improvements are required to make the local surveys in the vicinity of, and in addition to, their other duties. These circumstances enable the department to carry on this survey with extreme economy; still we should be glad to see it prosecuted with more rapidity. But this, we suppose, can scarcely be expected without a considerable augmentation of the corps.

*4th.* "*Survey and location of the Boundary, under the treaty of Washington;*" usually called the North Eastern Boundary.

The labor of marking the boundary line, under the treaty of Washington, is carried on by a joint commission of the two nations, the scientific observations being made by officers of the royal engineers of Great Britain, and by officers of the United States Corps of Topographical Engineers. We are glad to be informed, (of what indeed could not well be otherwise) that the joint commission, including the officers of both services, have conducted their operations in the best possible spirit, and in perfect harmony. The advanced state of the survey, and the principles on which it has been based, will be seen in the following extract from a report by Major Graham, the chief astronomer on the part of the United States:

"With the exception of certain portions of the line, which are now undergoing a review, to elucidate some slight discrepancies of minor moment, between our own results and those of the British engineers, such as must be considered unavoidable on so long a line, the boundary may be considered as actually marked out between the monument at the head of the river St. Croix, and the river St. Lawrence at St. Regis.

"The whole of this operation has been based upon astronomical determinations of the actual geographical positions of important points throughout the line of boundary. These determinations, so important in a national boundary, have been made in the most careful manner, and with good instruments, as far as they have progressed. They are not yet, however, quite completed, and it is believed that a portion of another season will have to be devoted to this branch of the operation, in order to give that degree of authenticity to the map of demarcation, which I conceive it to be the interest of the government to secure to it."

*5th.* "*River and harbor improvements.*"

Under this comprehensive head are embraced *forty-seven* different works—rivers, harbors, and roads, including Pennsylvania Avenue, in the city of Washington, and several special surveys in Florida, Wisconsin, and Iowa, heretofore "authorized by law." Each work is specially noticed;—its position and advantages, or disadvantages, civil and military, impartially stated;—its present condition, the amount of work accomplished by the last appropriations, a *detailed estimate* for the ensuing season, and the effects (good or evil) produced by the attempt at improvement, are all briefly discussed; the chief of the bureau freely availing himself, for this purpose, of the reports from the superintending engineers, touching the objects in their charge. It must not, however, be supposed that those reports are blindly adopted at the bureau; on the contrary they are subjected to a most rigid scrutiny, and if suspected of containing erroneous principles or mistaken results, they are re-submitted to their authors for further investigation; and, if deemed to be of sufficient importance to warrant it, the whole subject is referred to a board of experienced officers, for revision. We infer, from the report before us, that this has occurred in at least two instances during the past year, viz.: in reference to the harbors of St. Louis and Buffalo; both questions of grave interest to the commerce of the Mississippi and the northwestern lakes. In speaking of these two works the colonel has rather departed from his usual course, and discussed the plans of improvement somewhat at large. His views appear to us, in general, to be sound and liberal; and will, we doubt not, if carried into execution, result in a great amelioration of the condition of these truly national harbors.

We have already quoted from the report of the Secretary at Washington, in relation to the river and harbor improvements; but the remarks of Col. Abert,

on the same subject, are so appropriate, and contain so much valuable information, (in a condensed form) not generally known, that we cannot resist the temptation of presenting the following extract to our readers:

"By the returns, submitted with the report from this office, in November, 1843, the amount of the lake trade was, in 1841, of exports and imports, $65,826.022. By a comparison of the returns of that period, with those lately received, there is every reason to believe that the export and import trade of the various harbors of the lakes is now $100,000,000.

"So extensive a trade requires an immense shipping, and gives to it the attitude of being our great nursery for seamen. Vessels of all kinds, and of all sizes, are used upon the lakes; and as the navigation requires no inconsiderable knowledge of seamanship, it will be seen that the nursery is not only valuable for the numbers it will produce, but also for the qualifications of those numbers.

"A great portion of the lake tonnage is in steam-boats. These boats are ably commanded, large in size, well-manned, and are obliged, from the storms to which they are exposed, not only to be well found, but to be built of great strength. They therefore furnish, at the shortest notice, a means of organizing a most formidable and numerous fleet, capable of bearing an efficient armament, and of transporting numerous bodies of troops, at a moment's warning, to any quarter. A condition of war upon the lake country would necessarily restrict the commerce which now exists there, and would leave a great portion of this fleet in want of employ, ready for the call of government, and supplied with the most able pilots and lake navigators.

"This immense commerce, this vast nursery of seamen, this overwhelming fleet, may with justice be considered as the creation and consequence of these lake harbors; for, without these harbors, the number of large towns which embellish the shores of these lakes, would not have been built; the immense population upon their harbors, and the extensive cultivation of such numerous tracts of land, would not have taken place; the extensive sale of public lands could not have been made, nor the consequent supply and demand have been created, upon which this commerce depends.

"So much error exists in reference to the amounts which have been, from time to time, appropriated for these lake harbors, that I have deemed it advisable to examine again into the subject, from the commencement of the system, in 1824, up to the present day, and to present the results in a tabular form, giving the appropriations of each year, and for each place, from 1824, up to and including the appropriations of 1845, with an aggregate, exhibiting the total amount appropriated in each year, during that period. The tabular statement will be found annexed to this report. From the aggregate, it appears that there was appropriated for lake harbors,

| | |
|---|---|
| In 1824 | $20,000 00 |
| 1825 | 1,000 00 |
| 1826 | 49,620 00 |
| 1827 | 52,326 45 |
| 1828 | 83,982 29 |
| 1829 | 107,531 25 |
| 1830 | 80,130 38 |
| 1831 | 130 438 00 |
| 1832 | 121,300 00 |
| 1833 | 107,400 00 |
| 1834 | 221,978 00 |
| 1835 | 115,194 43 |
| 1836 | 300,414 59 |
| 1837 | 319,975 00 |
| 1838 | 630,673 16 |
| 1843 | 80,000 00 |
| 1844 | 375,000 00 |
| 1845 | 15,000 00 |
| Total | $2,861,964 39 |

"The work which has been done during the last season, has been with the balances of former appropriations, except in few cases, as the bill which contained the appropriations for the harbors and rivers, generally did not receive the Executive sanction.

"These harbors and rivers will be now specially enumerated, and statements be given of the work done at each. The estimates will also be given in detail, as required by law. In these parts of the report I shall, of course, avail myself freely of the facts and matters, in the various reports of the engineers of the works, as well as from my own personal knowledge of these several works.

"In reference to the estimates, I beg leave to remark, that those of the body of the report generally exhibit the quantity of work which can be judiciously accomplished during the ensuing fiscal year; but the estimates submitted to the consideration and approval of the department, will be reduced to the *least amounts* which will be required for the several objects stated."

There are other considerations of military expediency presented in the body of the report, connected with these river and harbor improvements, to which we can but briefly allude. The importance of commodious, accessible, and defensible harbors, at such localities as

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Chicago, Erie, Buffalo, Oswego, Sackett's Harbor, and Plattsburgh, must be strikingly obvious to any one who will consult the map of our northern frontier: certainly not less so the improvement of such rivers as the Savannah and the Hudson. In case that war should, unhappily, occur between the United States and Great Britain, it will be found that we possess over her a decided geographical advantage. In the first place, it must be entirely our own fault if we do not, from the breaking out of hostilities, maintain the mastery of the lakes; for this could be so easily accomplished, by even the means incidentally mentioned by Colonel Abert, that we cannot permit ourselves to doubt that such would be the result. In the event of war with that power, Albany would become an important strategetic point for offence or defence, constituting, in fact, the primary base of operations for the Canadian frontier. The secondary points would then be Buffalo, Oswego, and Rouse's Point, and from each or all of these positions the adjacent territory of the enemy might be menaced or assailed. From Albany troops and warlike stores may be rapidly moved, on these secondary bases, with flanks perfectly guarded from attack; and from these positions the lines of operation are *perpendicular*, while all the lines of movement between the Lower and Upper Provinces of Canada, are mainly *flank* movements, liable to be interrupted at almost any point, by a vigilant and energetic commander. Let us take Rouse's Point, by the way of illustration, as one of these secondary basis. It is situated at the foot of Lake Champlain, (close to the boundary line, as established by the treaty of Washington) and completely commands the water approaches by the river Richelieu. A large fortress, on this site, is in rapid progress of construction, and we understand that the plan of the defences contemplate the addition of an extended entrenched camp, capable of holding a numerous army. The fortress is intended for two tiers of casemated batteries, surmounted by cannon, "en barbette," and may be regarded as the citadel of these formidable works. Let us now suppose that Lake Champlain (a sheet of water exclusively within our limits) is at our command, what is to prevent a rapid movement of troops and munitions of war from Albany to Rouse's Point, at any season of the year—in the summer by canal and lake navigation, and in the winter by railway, (probably in a few years) to White Hall, and thence by sledges on the frozen surface of the lake? The British government has taken the precaution of defending the descent of the river Richelieu by a strong fort at Isle au Noix; a work which it would be extremely difficult to reduce, even by a combined land and water attack, owing to its almost inaccessible position. To invade Canada in this direction would scarcely be attempted. But Rouse's Point is only 50 miles from *Montreal*, by the usual *winter* communication between the states and the Canadian capital, at which season of the year the St. Lawrence is firmly bridged with ice. Montreal is an open town, and one successful battle at La Prarie would deliver it into our hands. This important city once in our possession, and the line of communication between the two provinces is cut assunder, and Canada West, thus paralyzed, would fall an easy prey to invasion from Oswego, or from across the Niagara.

It may be asked what influence the artificial harbors on Lake Champlain are calculated to exert on the first of these operations? We answer, that the improvements at White Hall are essential to the preservation of a free and uninterrupted communication between Albany and Rouse's Point; and that a commodious and easily defended harbor, such as the one at Plattsburgh ought to be, might become the ultimate means of restoring to us the command of the lakes, if, by any of those contingencies which so often happen in war, we should, unfortunately, be deprived of it. We must not forget that the military and naval victories *at Plattsburgh* secured it to us before, and hurled back on Montreal the most formidable army which has ever invaded this country. The fleet and the army were, in this case, mutually dependent on each other. Had the one succumbed, the other must needs have followed. Had the enemy carried the land defences early in the commencement of the navy fight, he might have brought his heavy guns to bear on the American ships with frightful effect, and have thus, probably,

turned the scale of victory. The Breakwater, forming the present harbor of Plattsburgh, is capable of sustaining a most powerful battery, which could not fail to prove a most valuable auxiliary to our fleet, if it should be found to be inferior to the enemy on the open lake: and here, if necessary, it might lie in safety, to refit, from the accidents of storm or battle.

The form given to the works, for the improvement of natural and the construction of artificial harbors, on the lakes, depend on the peculiarities of each locality.

Many of the harbors are situated at the mouth of the tributaries to the lakes, which are impeded, and often blocked up with bars, caused by the fluviatile deposites from the creeks, or by the accretion of shingle, drifted along by the littoral currents. The removal of the bars would produce but a temporary benefit, as the next storm would probably restore them. The principle of the improvement, then, under these circumstances, consists in preventing the re-formation of the obstacles when once removed. The means employed for effecting this object are piers, or jetties, projecting from the shores into the lake, of such shape and in such direction that the shingle may be thrown *from* the shores into deep water, by deflecting the littoral currents; and when necessary, to give sufficient velocity to the efflux waters of the tributaries, to prevent the deposit in the channel, of the alluvial matters borne down by their floods. Other harbors, such as Plattsburgh and Burlington, are mere bays, or indentations of the coast, requiring protection from the prevailing winds. This is effected by the construction of *break-waters*, so situated, in reference to the headlands, that, while they afford easy entrance and commodious anchorage behind them, they effectually break the violence of the storms. These structures —the piers and break-waters—are all built on essentially the same plan. They consist of "crib-work," or pens of timber, strongly framed and bolted together, filled with stone, and sunk in the required position. This *form* of construction is the only one that could have been adopted for the moles, without incurring immense expense, and is probably as efficient with the modification recently introduced, as any other. For the break-waters it is the best form, as it enables vessels to moor close to them without the risk of grounding—an advantage which could not be derived from break-waters built exclusively with stone, by a process called "rip-rapping," as vessels lying near them would run the risk of thumping on the inner talus.

The only objection to this mode of construction consists in the fact that a portion of the materials are of a perishable nature, and exposed to rapid decay; but the submerged part of the structure, constituting often two-thirds of the whole, is not liable to this objection, as it is well-known that sound timber, continually immersed in water, will last for an indefinite period, when not exposed to the ravages of the *teredo navalis*, a salt-water worm. In a short time after the cribs are sunk, they become firmly imbedded in the bottom of the lake, and all subsidence ceases. When the timber has so far decayed as to render the work insecure, they may be removed and their place supplied with cut stone, laid in hydraulic cement. This process of substitution, we are glad to learn, has been commenced at Oswego, under the superintendence of Major Turnbull, an officer who has acquired well-merited reputation, at home and abroad, by the construction of the Potomac aqueduct—a work attended with almost unparalleled difficulties.

The improvement of the Missouri, Mississippi, Arkansas, Red river, and the Ohio (below the falls at Louisville,) consists, mainly, in the removal of snags, roots, logs, and stumps of trees from the bed of the rivers, and of impending trees from their banks. The terrible destruction of property and life consequent upon the striking of steamboats on these obstructions, is but too well known to need repetition. Congress, with a wise liberality, has, from time to time, voted grants of money for the removal of these dangerous and often fatal impediments from the western waters. Unfortunately, the bill containing the appropriation for this object, last year, failed to receive the Executive sanction. The eradication of *snags*, as the sunken trees are called, is effected by means of "snag-boats:" these vessels are usually strongly-built

two steamboats, fitted up with appropriate machinery. The two vessels decked over for the reception of the motive power, are framed together in front, with a strong *striking*-beam covered with iron. The first effort against the snag is made by running against it with this striking-beam, aided by the whole momentum of the boat. This generally loosens the tree, if it does not break it off close to the mud. Should the snag be too firmly embedded to be displaced by this effort, chain-cables are fastened to it, and the whole power of boat and machinery is brought to bear upon it. The largest trees are removed by this method; and, indeed, hundreds of miles of *rafts*, formed by the accumulated drift-wood of centuries, on the Red river, have been cleared out by the operation of these machines, directed by science and skill.

It appears by the report from the topographical bureau that, from November, 1842, to the 30th June, 1845, there were removed from the Ohio (below the falls,) the Missouri, Mississippi, and Arkansas rivers,

| | |
|---|---|
| Of snags, rigidly speaking, . . | 21,681 |
| Of roots, logs, and stumps, . . | 36,840 |
| Of impending trees likely to form obstructions to the navigation, | 47,910 |

Making a total of 133,431 obstructions of different kinds. The amount of money expended during the same period, for expenses of *every description*, including the building and outfit of boats and machinery, was $308,830, or $2 31 for each obstruction. To convey an adequate idea of the great economy introduced into the management of this portion of the public works, since the resumption of operations, in 1842, it will be necessary to quote the well-considered language of the report. Col. Abert says—

"But if we exclude the felling of trees from the bank and the removal of them beyond the reach of floods, averaging for each tree a cost of $1—a cost assumed in former official reports, before the renewal of the work in 1842—and then apply the result to other work of obstructions removed from the bed of the streams, the following will be the result:—

| | |
|---|---|
| Total amount appropriated and applied, . . . . . | $308,830 |
| Deduct for 74,910 trees at $1 each, | 74,910 |
| | $233,920 |

"Now if this amount is made to average upon what are properly called snags—that is, all snags, logs, stumps, trees, and obstructions, actually removed from the bed of the stream, and which, during the period stated, amounted to 58,521—it will give for the average cost of each $3.99.

"It is well known that the removal of stumps, logs, and trees from the bed of the stream, is frequently more costly than the removal of what, in the most rigid and technical sense, is called snag. But, desirous of presenting this matter in the clearest light, I will assume an average cost for these last, and then see what will be the result. Of impediments of this kind removed from the bed of the stream during the period stated, the number is 36,840. No one, in the least acquainted with such work, will say that a supposition for an average cost of the removal of each, of $2.50, is not extremely moderate. Taking that average, it will give a further deduction of $92,100 to be taken from the gross amount above stated, leaving a balance of $141,820, as applied solely and exclusively to what, in the most rigid sense, may be called a snag. Of this last species of obstruction, there was removed during the period stated 21,681, which, compared with the above sum of $141,820, will give, for the average cost of each snag, in the most limited and technical sense of the word, the sum of $6.54.

"In the reports which have been laid before Congress, in relation to the same work, before the renewal of the work in 1842 (see page 174, vol. 1. House Doc., 24th Congress,) it is said:

"'The time devoted to the improvement of the Mississippi, during the current year, amounts to 192 days; the per diem expense of each boat being $51, the whole expenditure (for the 192 days) will amount to $15,552; the total number of snags removed is 1,003, and 2,424 trees cut. Admit the cost of cutting each tree $1, there will remain $13,128, as the cost of removing snags;—this gives an average cost of upwards of $13 for each snag, an amount exceeding that assumed as the average in my last report.'

"From this extract, (from the experience under the former system as late as 1835,) it appears that the average cost of removing a snag was then upwards of $13—that in obtaining this average merely, the daily expense of the boats while employed on the work is used, and all expenses of outlay, repairs of boats, building of boats, cost of machinery, &c., &c. are excluded, and that everything removed from the bed of the river is called a snag, the trees cut upon the banks being only excluded.

"It is rather difficult to compare this average without occupying too much of your time with the averages, which I have stated for the work since its renewal, in 1842, because, in

these last. I have included all expenses of outlay, repairs, building, preservation of boats, purchase of machinery and tools, outfits, &c., which expenses, amounting to very great sums, are excluded from the average before the renewal of 1842. Taking, however, the matter up, with all these disadvantages, in the comparison to the work since the renewal, and using the word snag in its generally accepted sense, and as it was really used—namely, every tree, log and stump in the bed of the river—it will appear that the average cost of removing a snag, before the renewal of the work, in 1842, was more than $13, and that the average cost of removing the same kind of obstructions since the renewal of the work, in 1842, is $3.99.

"But suppose the word snag to be used in its most rigid and technical meaning, and to have been so much in obtaining the average of 1835, then the cost of removing a snag before the renewal of the work in 1842 was more than $13.

"The cost since the renewal of the work in 1842 is $6.54.

"I must again recall to your consideration that, however favorably the average of this work, since 1842, compares with the average before, yet this average since 1842 is loaded with all expenses of outlay, &c., with which the average of before 1842 is not.

"These comparisons are made with the sole view of satisfying the department of the propriety and advantages of persevering in our present system, and of the great benefits which have followed from keeping an officer on those rivers in the unremitting superintendance and direction of the work, instead of having one there merely occasionally, and for occasional inspections."

The Ohio river, above the falls, differs materially in character from the same stream below the falls, and from the lower Mississippi and its tributaries. It has been thus described by an officer of topographical engineers, who was sent out to examine into its condition in 1842, previous to the resumption of operations for its improvement.

"The general character of the Ohio, above the falls, is singularly uniform; and it may be popularly described as a regular succession of alternate short ripples and long pools, produced by the intervention of bars, usually found at the heads of islands, or rocky ledges. The current in the pools is very gentle, and almost sluggish, in low water; over the ripples it is at all times more or less rapid, depending on the height of water, the fall, and the breadth of the chute; but it flows very nearly at a uniform velocity over pools and ripples, in time of floods, and approximates to uniformity, as the river rises, during freshets. In partially removing the bars, either by scraping, or by the erosive action of the water, when concentrated into a single channel, care must be taken not to permit the excavation to extend below a plane, (beginning, say on the bar at Pittsburgh, as a point of reference, and passing through all the shoalest bars in the river) nearly parallel to that which the river assumes at high water. The effect of lowering the bars beyond a certain line, would be to decrease the depth of water in the pools above, and to add to the perpendicular fall of the adjacent ripples; thus accelerating their velocities, and decreasing the depth of water over them. This would, of course, aggravate rather than diminish evils.

"The principal difficulty, encountered in the low stages of the river, consists, not in a deficiency of the quantity of water, but in its *irregular distribution*, and consequent want of sufficient depth for foliage. There are localities, however, such as Letart's Falls, and the rapids below Greenupsburg, where, owing to the projection of ledges of rocks, forming narrow and sinuous passes, navigation is not practicable for boats drawing somewhat less water than the actual depth of the channel."

While the Ohio above the falls is not free from snags, they are comparatively of rare occurrence. The improvement of the river may be considered as divided into three classes viz:—1st. "The removal of all snags, logs, rock and sunken boats from the bed and channel of the river—in addition to which it is contemplated to clear away all the leaning and falling trees from the banks." 2d. "*The construction of stone dams or jetties, to concentrate the water into one channel, where it is divided by islands, or, from other causes spread over too much space.*" 3d. "A survey of the river, comprising a complete hydrographical and topographical survey, exhibiting the bars, channels, and shores, ascertaining the soundings and velocity of the currents, and every other element necessary for the most judicious locations of the dams, and for the formation of the best adapted project of improvements."

No difference of opinion can well exist in reference to the propriety (not to say necessity) of the 1st and 3d of the operations proposed, having for their object the removal of isolated obstructions from the bed of the river, and the determination of the precise character of the other obstructions to the navigation, even if no other improvements should be attempted.

In relation to the 2d, and most important of the improvements suggested, the same officer remarks:—

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"As it regards the probable efficiency of the second class of improvements, viz.: the construction of low dams or jetties, generally nearly parallel with, or but little oblique to, the thread of the stream, intended to throw the greater portion of the water of the river, during its low stages, into one narrow channel, it would seem to a person unacquainted with the subject, as an almost self-evident proposition, that the contraction of the channel should produce an increased depth of water in the inverse ration of the width of the stream. But such has been ascertained not to be the fact; for, (the absolute quantity of water remaining the same,) as the width of the river is contracted, the velocity of the current is increased, and the water, of course, is the more rapidly discharged. It is well-known to every one familiar with the Ohio, that in ordinary freshets, the river rises but one foot on the bars to two or three feet in the pools, a phenomenon attributable to the greater velocity over the bars."

The effects likely to be produced by works of this character are then elaborately discussed, but in this article it is sufficient for us to look to results; the engineer, however, appears to entertain no doubt that a very considerable amelioration may be produced by a judicious execution of the proposed plans. He says—

"We have thus completed the examination of the river from Pittsburgh to Louisville; and I can but repeat, what I have already said, that there is no insurmountable difficulty in securing a navigation which shall never be less than two feet in the lowest known stages of water, generally not less than thirty inches, and frequently, as during seasons like the past, not less than *three feet*. It must not be overlooked, in connection with this subject, that a navigation equivalent to two feet, as a minimum, will have, moreover, the effect of extending the season of navigation for boats of *medium draught*, say from three to four feet, for a month or six weeks beyond its present probable duration, which would be a result only second in importance (if it be second) to the absolute certainty of securing a low water navigation during the most prolonged droughts. I have been fortified in these opinions by the successful results attending the efforts to improve the Hudson, the Holston and Tennessee rivers, and the experience of Captain Sanders on that portion of the Ohio which we have just reviewed."

The very necessity of the case has caused such important modifications to be introduced into the construction of boats plying on the western rivers, that boats adapted to the low water navigation often draw not more than 16 or 18 inches. With vessels of this description, an inch of additional depth is an object of high importance, and is almost equivalent to a foot on the Atlantic rivers. So that a navigation that would never fall below 26 or 24 inches, would add vastly to the value of that noble stream; and would be sufficient for all practical purposes, as the low water season is usually coincident with what may be called the *non*-business season —a period of the year when the wants of the community are confined mainly to the transit of passengers and light freights.

The officers of Topographical Engineers connected with the survey of the *Atlantic coast*, are employed on that service by the authority of express law. But as that work is not under the superintendance of the War Department, no reference is made to it in Colonel Abert's report. It appears, however, from the annual statement of the progress of that work for the year 1845, made by the distinguished man in charge of that operation, that the services rendered by those gentlemen have been of the most useful character. In relation to the office duties of the survey he says—

"The office work of the different field parties during the last winter, consisting of copying journals, calculating observations, drawing, &c., has been referred to in connection with their work of the past season. During the past winter I superintended personally the work of the different parties in the office, and for all official purposes may be considered, according to the regulations of the survey, as present at that central point of the survey at all times; but the immediate charge of the operations going on under my direction is one of the most important duties which can devolve upon an assistant. Upon the efficiency of that officer depends the regular movement of the part of the establishment where the results of the work are collected and put into form, to be given to the public. Having felt most forcibly the value of the services to the public, and the relief from responsibility, afforded by the ability, method, assiduity, and untiring zeal of the assistant in charge, Lieutenant A. A. Humphreys of the United States Topographical Engineers,

I must be excused for warmly and publicly expressing my deep sense of obligation, and wishes that his service might meet with the public reward which they deserve."

The range of duties of the Corps of Topographical Engineers may be easily inferred from what we have already said. It owes its present organization to the act for the increase of the army, approved 5th July, 1838, which was passed by Congress in consequence of the urgent recommendation of the Secretary of War. Mr. Poinsett, in a report to the President, dated 2d December, 1837, uses the following strong and energetic language, in which he not only shows the policy of enlarging this branch of service, but also defines the nature of the duties to be devolved upon it:

"I would recommend an immediate increase of the Corps of Topographical Engineers. The extensive range of duties which have of late years devolved upon this corps, renders its increase a matter of necessity as well as of economy. It is physically impracticable, as the corps is now constituted, to obey the injunctions of Congress. Important surveys are neglected; works of improvement are slowly and imperfectly carried on, and the expectations of the country disappointed.

"The duties of this corps require the combined knowledge of the military and civil engineers. Their military duties consist in surveys for the defence of the frontier, inland and Atlantic, and of positions for fortifications; in reconnoissances of the country through which an army has to pass, or in which it has to operate; the examination of all routes of communication by land or water, both for supplies and for military movements; the construction of military bridges; the position and erection of field works; the defences of encampments, fords, ferries, and bridges. For these purposes topographical engineers should always accompany armies in the field; and, without their aid, the organization of a staff is defective and incomplete. Their civil employment consists in the survey of the coast, rivers, harbors, bays, and water courses, in order to their being improved for commercial and other purposes, and in superintending the various works for these improvements; in surveys of roads and canals, under the law of the 30th of April, 1824; and in conducting all civil constructions connected with the commerce of the country, and such international communications as Congress may direct. This brief recapitulation of the various military and civil duties of the corps clearly point out the necessity of its complete organization, and indicates the propriety of attaching it to the general staff of the army. The direction of all the works, both civil and military, herein described, properly belongs to this branch of the service. It is his duty, likewise, to select sites for encampments, and to assign to the different corps the ground they are to occupy."

Mr. Poinsett seems also to have considered the re-organization of this corps as being essential to the due performance of many of the important duties previously assigned to the Quarter Master General of the Army. He says—

"'It is his duty, likewise, to select sites for encampments, and to assign to the different corps the ground they are to occupy; a duty which requires the aid of topographical engineers, as does the superintendence of the works at the several posts, the construction of military roads, the acquisition of such knowledge as the department is expected to possess with regard to the military resources of the country, the means and facilities of transportation, the state of the frontiers, with the most eligible points for concentrating troops and collecting supplies, whether in relation to offensive or defensive operations. This information cannot be obtained without the active co-operation of the topographical corps."

In reference to the importance of military surveys, he makes the following just observations—

"The commander of the army of the south says, emphatically, in a late communication to the Adjutant-General, 'Had the topographical engineers been employed in their appropriate duties in Florida only one year of the sixteen since we obtained possession of the country, from two to three millions of dollars might have been saved in the expenditures of the war. The ignorance of the topography of the country, here complained of, exists with regard to other important regions of our country, which will, probably, sooner or later, become the theatres of war; and I earnestly hope the department will have it in its power to remedy this defect by confining the members of the corps to their appropriate duties, of examining and surveying the country for the purposes of national improvements, and national defence, and superintending the erection of national works."

The Corps of Topographical Engineers is recruited from the Military Academy. The *Corps of Engineers*, (engineers of fortifications), as the older corps, selects the highest on the list of graduates, when it requires additional officers, and the next are assigned (if wanted) to the Topographical Engineers. Practically, the graduates have been *alternately*, from year to year, alloted to the two corps. Some difficulty having arisen, in 1842, in the distribution of cadets amongst the different branches of the service, Mr. Secretary Spencer issued instructions to the Academic Staff on the subject, in which he says—

"In my opinion, the services of the topographical engineers require an extent of knowledge, a comprehensiveness of mind, and a depth of thought, equal at least to any other branch of service; and I think the arrangement of the different corps and arms should be as follows:—Engineers, Topographical Engineers, Ordnance, Artillery, Cavalry, Infantry. And it is hoped, that while no efforts are made to depreciate any particular corps, a just regard to the great interests of the country, which are so intimately connected with the duties of topographical engineers, will induce a fair appreciation of the talent and acquirement necessary to their performance."

In 1837, the Senate of the United States, directed by resolution, that a compilation should be made, and published under the supervision of the chief topographical engineer, and the Secretary of the Senate of "Reports and draughts of surveys, for the improvement of harbours and rivers, and the construction of roads and canals, and other documents relating to the same, with brief extracts from the journals of the Senate and House of Representatives, showing the proceedings connected with those reports." The work of re-printing these documents was commenced by Messrs. Gales and Seaton, printers to the Senate, and, we understand, that four volumes, including selections from reports and maps, from 1789 to 1830, have been completed; but for some unknown reason have been neither bound nor published. It cannot, we think, be too much regretted that the re-printing of those important papers had been arrested so early, as a judicious selection from the remaining reports, which might have been condensed into two or three additional volumes, would have been a most valuable acquisition to our national fund of scientific knowledge. Besides which, it would have afforded an interesting history of the public works constructed by the Federal Government.

The amount of useful information, in the form of reports, memoirs, maps, charts and plans, stowed away in the archives of the topographical bureau, would be almost incredible to those not familiar with the fact; and it is to be hoped that some measure may be adopted to turn them to a more useful account. Some of these papers have, as we learn, attracted apparently, more attention in Europe than at home; and have been re-printed in handsome style. We find the following reference to this subject in the Investigator, a very clever magazine, devoted to literature and science, published in Washington city.

"In conversation, a short time ago, with a gentleman of science, and much reading, on the subject of the injustice of English writers to American genius and talent, he observed that there was an English periodical, of rare merit, which seemed disposed to make some atonement for the injustice of the rest. We desired him to give us a reference to it in writing, and to state also the names of the persons, and their works, that had been favorably mentioned in the journal in question. He sent us the next day the following brief, but highly gratifying statement:

"'The publications to which I alluded, in conversing with you, a few days since, is called, 'Papers on subjects connected with the duties of the corps of royal engineers.' It is of the quarto form, the letter-press being of the most beautiful description, and the numerous graphic illustrations, which it contains, of the highest specimens of art. It is an annual publication, mostly of the professional papers of the officers of the British engineers, and is regarded as a standard work in England. It embraces military memoirs, sketches of campaigns, descriptions of sieges and of fortresses, and papers on civil engineering. Such is its high character, that the 'Civil Engineer's and Architect's Journal,' a work of the highest merit, recommends it in the strongest terms to the civil engineer.'

"It must be regarded as no small compliment to our service, that the editor of 'Professional Papers' had commenced the re-publication of the reports of our officers of topographical engineers. The third

volume contains a very complimentary notice of Major Turnbull's memoir on the construction of the cofferdams for the piers of the Potomac aqueduct, which, although much condensed from the original report, yet conveys a most striking and detailed account of that most difficult and important work.

"The 7th volume contains, entire, a report, from Captain W. H Swift, of the Corps of Topographical Engineers, on the construction of a wrought-iron beacon at Black Rock Ledge, near Bridgeport, Connecticut; and a report on some of the most important of the hydraulic works of Holland, by Captain George W. Hughes, Corps of Topographical Engineers. Both these papers were appended to the annual report of Colonel Abert, chief of Topographical Engineers, to the Secretary of War, exhibiting the progress made by the officers under his orders, for the year 1843, —one of the documents accompanying the President's message for that year."

The Black Rock Iron Beacon has been erected after an entirely new design, being a modification of the light-houses at Port Fleetwood, and that on the Maplin Shoals, constructed by the Trinity House, on the plan of Mitchel's screw piles; a mode of building admirably adapted to many localities on our low sandy southern coast, and combining, in an eminent degree, the pre-requisites of stability and economy of cost.

The harbor of Black Rock lies about eighteen miles westward of New-Haven, and is very important as a harbor of refuge, being more resorted to in storms than any other in the sound. We learn from Captain Swift's report, that, in a period of twelve years, three stone beacons had been erected and destroyed, at a cost to the United States of more than $21,000.

In March, 1843, Congress again provided for the construction of another beacon on this important ledge; and it appears that the Secretary of the Treasury, to whose department these works belong, being, naturally enough, distrustful of the plans on which the previous beacons had been erected, requested the Secretary of War to place the building of the new work in charge of the topographical bureau—a request, fortunately, complied with. The entire cost of the iron work and foundation was about $4,500, and the time consumed in the construction was three months. The amount appropriated for this object was $10,000, of which sum about $5,500 was saved by assigning the superintendence of the work to a skilful and scientific engineer. The beacon is built in the form of a truncated pentagonal pyramid; and is formed of six wrought-iron shafts, one of which is placed vertically in the centre, the other five being arranged in a slanting position around it. The feet of the shafts are inserted two and a half feet into the stone foundation, and secured in their places by heavy wrought-iron wedges.

There are many other very interesting topics connected with the duties of the Corps of Topographical Engineers, to which we cannot even allude for the want of space; but, in conclusion, we recommend an attentive perusal of the reports of Colonel Abert to those who feel any curiosity on the subject of the public works executed by the government of the United States—they will find it labor well bestowed.

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# THE CAPTAIN'S STORY.

"Talking of circumstantial evidence, I can tell you a story, in point, of an affair that happened within my own personal knowledge, if you wish to hear it."

The speaker was one of a group that stood upon the promenade-deck of the Empire, one day last summer, as she glided among the glories of the Hudson, on her downward passage from the political capital of the state to the commercial and financial capital of the union. This group had been collected by an animated discussion between two professional-looking disputants, respecting the necessity and propriety of killing men as a punishment for murder. The members of it were apparently all strangers to each other, and to the disputants, one of whom, from his appearance in general, and his white cravat in particular, and from his frequent quotations from Scripture—his constant iteration of such phrases as "divine vengeance," "holy indignation, "God's immutable laws," &c., his wordy rhetoric, false logic, and bad temper, I took to be of that small class of narrow-minded and short-sighted religionists who are ever ready to brand reform with the reproach of infidelity; who fancy an earthquake endangering the foundations of God's church in every step of human improvement—who look upon every discovery in science as an attack upon Moses—every new moral maxim as an insult to Solomon—every philanthropic movement as a contempt of our Saviour; a class who seem to think the very drivel and slaver of the pilgrims essential to the existence of the shrine; and who, by this sort of nasty conservatism, do more harm to the cause of religion than all the infidels in the world: more harm than their liberal and enlightened brethren of the cloth are able to counteract.

The conversation, at first so spirited as to excite the interest and attention of a number of ladies, who had moved themselves up so as to be within hearing had begun to flag. The arguments for and against had been pretty nearly exhausted, and the combatants were beginning, in the lull of the battle, to draw off their polemical cohorts, preparatory to a peace, both parties satisfied with the *uti possidetis*, although the spectators could distinguish no great difference between it and the *statu quo ante bellum*.

It was at this opportune moment that the speaker, a square-built, red-faced, comfortable-looking man, proposed to tell his story. Of course, there was a general expression of assent; so clearing his throat with a preparatory "hem," and stowing his quid a little more compactly, after shifting it from starboard to larboard, he began:

"I am a sailor, or rather was, for it is a good many years since I gave up ploughing the deep and took to turning furrows upon the land. Just forty years ago I was in command of a little full-rigged brig, called the Moresco, belonging to Baltimore. We were bound for Liverpool, and from there to the Cape de Verds, for a cargo of salt, and thence home. My crew consisted of three men and a boy, rather short handed you may think for a long voyage, but sailors were in demand, and my vessel was a little bit of a thing, and required but few to manage her; besides, I was young then, and felt myself about equal to the watch of a small frigate alone; and in addition there was the mate, who had come on board of me with the reputation of being as active an officer as ever stepped across a ship's gangway. Mr. Clark, James C. Clark, I think, was his name, was a young man, about thirty, but he had been to sea pretty much all his life. Report said, for I didn't know much of him personally, that he was a good sailor, but a regular marine Tartar; a thorough-going disciple of the 'Hell-afloat system.'"

Here there was a movement of increased interest, especially among the ladies; and one of the gentlemen embodying the curiosity of the auditors, demanded of the captain an explanation of the principles of the system he had mentioned.

"It is a system," replied the captain, "much in vogue formerly, and which, I am sorry to say, has not been entirely done away with to this day. It is a system, the fundamental principle of which is, that a sailor, I mean a regular 'fore-the-mast' duff-eater, a real 'Jack-nasty-face,' is the incarnation of human depravity; that, as the phrase is, 'the better you try to serve him, the worse he tries to serve you;' and that it is necessary to continually work him, and curse him, and flog him, to make him earn the salt-junk and rusty pork upon which he is half-starved."

"But surely," exclaimed another of the listening group, "such a system can find no advocate in the American service in the present day?"

The captain turned to the speaker, and deliberately eyed him with a peculiarly benign expression, rendered somewhat quizzical by a slight pursing of the lips.

"You believe," at last exclaimed the captain, "in the progress of humanity; in the march of mind; in the development of the genius of American civilization, don't you? Well, it is a comfortable belief, but if you want to keep it, never go to sea before the mast-if you do, ten chances to one you will have it knocked out of you with a marling-spike or a belaying-pin, as soon as your officers get you into blue water. I'm sorry to say it, but I have seen things at sea, that if told on shore would make even the judges of the Marine Court stare; and I have pretty good reason to know, that Jack has, to this day, occasional opportunities of seeing some of the 'Devil's doings' when he can't help it. But I'm going rather 'large:' so you see, I'll just board my jawing-tacks and brace sharp up to my story.

"This Mr. Clark, as I was mentioning, had the reputation of being a good sailor and an active officer, but it was said that he never could get a crew to sail with him the second time; and that more than once he had to secrete himself while his ship was in port, and join her only at the last moment, in order to avoid arrest at the complaint of some of his misused men. But so far from this being against him, there were not a few old sea-dogs who really thought that it was in his favor; and even I, at that time, had no very clear idea of the distinction between a good officer and a hard one. Glad, at any rate, was I, when Mr. Clark joined the brig, and commenced helping to stow the cargo. I soon found that report had not belied his character, and that he was a thorough driving fellow, who knew what work meant, and how to have it done. He was evidently disposed to severity, with cartmen, stevedores, and others; but I could perceive no evidences of capriciousness or downright bad temper.

"In a few days, owing mainly to his activity and energy, the cargo was aboard and stowed, and the brig ready for sea. Our crew consisting, as I have said, of three men and a boy, came on board, and the wind shifting immediately to 'free,' we 'sheeted-home' every thing and stood out to sea.

"We had been out but a very few days when I became convinced that Mr. Clark's manner was, to the full, as rough as I had heard it represented. Hardly an order came from his lips unaccompanied by an oath, or some opprobrious epithet. And but little less liberal was he in the use of blows. Upon several occasions I remonstrated with him, but he pleaded so strongly in justification the necessity of the case, that I was compelled to let him have his way. It is always a delicate thing for a captain to meddle with a mate's authority: discipline is the main point, and upon any disagreement in the cabin it is sure to suffer.

"Another reason for my indisposition to interfere with the exercise of Mr. Clark, of his authority in his own way, was the fact, that his displays of bad temper were not wholly unprovoked. Had I had Job himself for first officer, sure I am that his well-tried patience would hardly have enabled him to resist the temptation of flourishing a rope's-end, at least a dozen times a day. I was frequently provoked beyond all bounds by the conduct of the men.

"For a small crew hardly a worse one could have been selected. One of the three men was willing enough, but he was slow and stupid. The others were smart, active fellows, but real grumbling, growling rascals, who had made up their minds, from the first, never to lift a hand or stir a foot when they could help it. They had both been in the English service, and al-

though Americans, they had acquired all the vices of the English sailor. In fact, I recollect that one of them told me that he had made three voyages in a Canadian-timber ship, where, every time they reefed topsails, the officers were compelled to chase the men up the rigging with handspikes.

"To these two men, whose names wore the usual sailor-hailing handles, Jack and Bill, the mate had taken a supreme dislike, and they to him. At last things got to be so bad, that not an order of his did they pretend to obey, unless it was accompanied with a curse and a blow; and not unfrequently, in the night, during the mate's watch, when only three persons were on deck, have I been aroused from sleep by the sound of a rope's end on Bill's back, and his yells of rage and pain.

"Well, in this way, cursing and grumbling, and flogging, as thousands of vessels have done since, we made our course across the Atlantic. Had I known as much then as I do now, things would have been different. I would have resolutely set my face against Mr. Clark's brutal and badgering ways on the one hand, and on the other I would have triced up Mr. Bill or Jack to the rigging upon the first sufficient provocation, given them three dozen with the cats, in regular man-o'-war style, called the accounts square, and treated them mildly until they had run up another score, to be wiped off in the same way. They would soon have understood how the land lay, and have come to the conclusion that it was time to luff up a bit, and leave off backing and filling round mutiny point. There never was a sailor who wouldn't knock under to a due mixture of severity and kindness: but this constant hectoring only makes him feel bad, and disposes him to run his head against a marling-spike or a belaying-pin, whenever he sees his tormentor have it in hand. However, I was young then, as I have said, and didn't know as much as I do now.

"We left Liverpool, and if it was bad before we got there, it was much worse after we left. Often and often I wished the voyage over, and that Clark and his two bass-drums, as he used to call them, were paid off and discharged. Generally I enjoy the sea; it is such a grand place for sentiment. I like to come on deck, and after giving an extra pull or two upon the halyards and braces, to walk up and down, and study the ceaseless playof light upon the curling hissing hills of water. I love to stretch myself upon the booby-hatch or hen-coop, and gaze up into the clear blue vault of heaven, until the stars show themselves in the daylight, and you don't so much as say thankye, but look right past them, up, up, to the pure sapphire, where no sunbeams are needed—where God lives, and hosts of angels float in his breath around his Eternal Throne. I love to lean over the taffrail, and lower my soul out like a deep-sea lead, down, down into the fathomless caves of the ocean! I love all this kind of thing, and enjoy myself very much: not that I suppose that my imagination is up to the flights of many of our great American poets; or that I can feel the sentiment of the situation as fully even as many a seasick girl on her first voyage; but still I love to indulge myself, as far as my slender gifts in the sentimental line will permit; and, as I said, generally I enjoy myself at sea very much. But this voyage was an exception—I could neither read, sleep, or think; and as for anything like a quiet communion with nature, it was out of the question, in such a perfect marine pandemonium as the Moresco.

"In three weeks we reached Mayo, the island to which we were bound, and anchored in the roadstead. While getting in our cargo of salt, which took us about two weeks, things went on rather more quietly, but it was only a lull before the storm. Two days out from Mayo our third man fell sick, and was compelled to keep his berth. This reduced the mate's watch to himself and Bill, while my watch was composed of Jack and the boy.

"It was in the mate's middle-watch, on the fourth night after we had started for home, that I was aroused by the usual sounds of Mr. Clark's voice, in tones of high passion. I heard him exclaim, with an oath, 'I'll have your life, you villain! I'll murder you!'—and then followed a torrent of imprecations. To this some muttered reply was made, which, as I was almost half asleep at the moment, I could not understand, and then came a quick, heavy tread of feet on deck. 'D——n you,' exclaimed the mate, 'I'll cut your

heart out.' And then I heard a noise of scuffling—a choaking sound—a crashing blow, and the fall of a body on deck.

"At this moment I was sensible, from the motion of the brig, that she was rapidly falling-off from the wind, and fearing that she would come round by the lee and be taken aback, I jumped from my berth, and while slipping on my clothes, I shouted to Mr. Clark to mind his helm; but he made no answer.

"I stopped only for my trowsers and pea-jacket, and hurried up. As I emerged from the companion-way, I heard a heavy splash in the water, over the starboard-quarter, and I saw Mr. Clark leaning over the bulwark, and with one hand holding on by the maintopmast breast backstay.

"Is I stepped towards him he turned, and a flash from the binnacle-lamp lighted up his countenance; its expression was awful—a look of horror and fear was rapidly chasing from his features the grin of rage and the flush of physical exertion.

"'Lower away the boat,' he suddenly shouted, in accents of the wildest agony;—'lower away the boat, quick, quick—Bill has jumped overboard—save him, for God's sake!'

"'Hold!' I exclaimed, 'belay that,' as Mr. Clark jumped to the taffrail, and began to cast off the boat-falls.

"'Into the boat! quick, into the boat!" shouted the mate, in a hoarse and convulsed tone.

"'Stop, Mr. Clark,' said I, laying my hand upon his shoulder, and drawing him back from the taffrail, 'What shall we man the boat for?'

"'For Bill—Bill is overboard—he jumped overboard.'

"'If Bill is overboard,' interposed Jack, in a surly tone, 'its the best place for him, I guess: look at this—and Jack stretched out his hand in the binnacle-light.

"'Blood! how is that?'

"'Why, here on deck—and see, you can feel it on the quarter-rail; and here is some hair mixed with it. Bill's hair, by G——,' exclaimed Jack, holding a lock of bloody hair in the light of the galley-lantern, that the old wooden-legged black cook now brought forward.

"'And see here, here is his knife, all covered with blood—I heard Clark ask him for it not ten minutes since.

"'Mr. Clark,' continued Jack, sideling up to the mate, with a most truculent and lowering visage and tone, 'you'll swing for this, if there's any law in the land. I heard him cry murder, and I've heard you threaten to take his life more than once.'

"'Man the boat! man the boat!' shrieked the mate, wringing his hands, and frantically grasping the boat-falls.

"At this moment it occurred to me, that perhaps the sailor might have been merely wounded; and although the chance of picking him up was so small, it was worth the attempt, if only for the mate's sake. So, directing the boy to hoist a lantern into the rigging, while the old cook was to mind the helm, and keep the brig aback, the boat was lowered, and jumping into it, with Jack and the mate, I pushed off. With such convulsive strength did Mr. Clark bend to his oar, that I had to direct the whole force of the rudder against him, to keep him from pulling Jack round-and-round. Stoutly we rowed out in the blackness to leeward, till the light in the distant brig shone like a fixed star, so small the parallax, or change in the angle of vision, as it rose and fell upon the undulating sea. Frequently we stopped and listened; and frequently the mate's agonized voice went over the hissing waste of waters, but no groan of the dying came back in reply.

"'There's not much use in this work,' exclaimed Jack.

"I knew that he spoke the truth; and after two hours hard pulling, I sternly silenced Mr. Clark's remonstrances, and ordered the boat back to the brig. As we mounted to the deck, the purplish light of dawn streamed across the water. The murderer turned his ghastly face towards me, and in a half-inquiring tone, exclaimed, 'he jumped overboard.' I looked him steadily in the eye for a moment, and deliberately shook my head. His lips became of a blueish-white; his breath seemed to fail him; and staggering forward, he threw himself across the companion-hatch and sobbed violently. The stern, hard man was all gone.

"All day he sat in the cabin upon the transom, with his head bowed upon his hands. I left him the cabin pretty much to himself, but I could not help, as I walked the deck, taking an occasional glance at him through the sky-

light. In the afternoon he roused himself a little, took a look out of the cabin-windows, got out his desk, and wrote steadily for an hour; and superscribing several letters, directed one of them in words, that in the distance, looked very much like my name. This was suspicious. I saw that he had made up his mind to something—what was it? What could it be but suicide? It was clearly my duty to prevent this, or at any rate to give him a longer time to think about it; so just at sunset I called Jack and the boy, and went down into the cabin. I at once addressed myself to the criminal, told him plainly my suspicions; told him that I knew he intended to throw himself overboard; and that as I was determined he should do no such thing, at least for the present, I had come to the resolution of putting him in irons;—he started, appeared for the moment somewhat astonished, but readily submitted without saying a word.

"The next morning we were spoken by a brig, which proved to be a United States man-of-war, five days out from Porta Prayo, in the island of St. Jago, and bound for the Chesapeake. The first lieutenant came aboard of us, and after hearing my story, took me back with him to see his captain, who decided at once to transfer Mr. Clark to his vessel, and carry him home for trial. At the same time he loaned me three active fellows, to supply his place, without which I could not have got along at all, seeing that my third man was likely to be, for some time, confined to his berth. When all was arranged, we filled-away and stood on in company, both being bound for the capes of the Chesapeake. The man-of-war, however, out-sailed us, and it was not until a week after her arrival that I got in with the Moresco. In the meantime Mr. Clark had been handed over to those who had jurisdiction on shore; and as soon as we arrived all hands were ordered up as witnesses, and preparations for his trial at once commenced. Somehow or another they were not as long about such kind of things then, as now. The lawyers were not so expert in staving off cases and bamboozling judges; and the juries just as leave hang a man as look at him, if he had fairly thrust his head in the noose. There has been a change since then, whether for the better or worse, I can't say, but I suppose for the better. The truth is, I've seen so many changes, that in the beginning I was a little dubious about, turn out so well in the end, that I'm determined never to say anything new is wrong again. Why, I've seen the time when I've thought that a ship was no ship unless her shrouds were cat-harpened in as tightly as the ribs of a Broadway belle. I've turned up my nose at chain-cables, and d——ned the lubber's eyes who first dared to lead the maintopmast stay anywhere else than to the head of the foremast; but if I was at anchor on rocky ground, off a lee-shore, wouldn't I like to have iron ground-tackle to hang by? or if a heavy lurch whipped out my foremast, wouldn't I be glad that my maintopmast stay wasn't fastened to the head of it? No, no, the world is not so perfect yet that one could wish it to stand still. There are cat-harpens on the shrouds of society that would be well to get rid of; and there are many improvements in the mode of setting up and rattling-down the standing-rigging; why, it is only within a short time that it has been found that the great national ark carries her spar easier when you slacken the stays; and that in working to windward you must not round-in the lee-braces too taught, or what you make up in pointing you'll lose in going ahead.

"Well, well," continued the captain to his auditors, "I see that you think that I am going rather large; but just wait a minute till I put my helm down, and brace up again once more, and I'll weather the whole story in half the shake of a shark's tail.

"It is not necessary to go into a long account of the trial. Suffice it to say, that my evidence, light as I could make it, was heavy against the prisoner. I was compelled to testify to the bad blood between him and the dead man—the words and sounds I heard that night—the splash in the water—the attitude of Clark over the bulwark—the blood and hair found on the deck and rail. But if my evidence was hard, Jack's was still harder: he swore that the mate had told him, two or three times, that he, the mate, 'would have Bill's life.' He swore that, not more than three minutes before the row, he

heard Mr. Clark ask Bill for his sheath-knife; that shortly, he heard the mate say 'D—n you, I'll murder you;' that there was a scuffling and the sound of two or three blows, and a cry of murder, to which he should have paid no attention, had it not have been for the low and peculiar tone in which it was uttered; that, upon this, he sprung upon deck, and saw the mate in the very act of lifting the body over the quarter-bulwark.

"The evidence of the sick man, boy and cook, was all, as far as it went, to the same effect; and by the time it was all in, it was all up with Mr. Clark—he didn't need a long speech from the district attorney to finish him; without that, he stood no more chance for his life than a flying-fish does among a school of dolphins. The jury brought him guilty, after about fifteen minutes' deliberation, and next day the judge sentenced him to be hanged."

"And was he hanged?" demanded one of the group of listeners, as the captain paused in his story.

"Certainly," replied the captain; "they put a rope around his neck, and, knocking out the platform from beneath him, left him dancing the pirate's jig upon nothing. He kicked and struggled for a long time; but I suppose that made the sight more instructive—a greater moral lesson. Oh! he was hanged by the neck until he was dead, for I saw the body afterwards."

"And it served him right," exclaimed the gentleman who had been the advocate of capital punishment in the recent dispute—"served him right; it was a clear case of murder."

"Yes, it was a clear case—a very clear case; and yet, to my certain knowledge, there was no murder about it."

"How so?" exclaimed a dozen voices. "Do you think that he did not mean to kill the sailor?"

"I don't think at all; I know. I know not only that he did not mean to kill the man, but that no man was killed."

An expression of increased interest now escaped the group, which gathered up closer around the narrator.

"Listen," he continued, "and I'll just reel off my yarn, and whip the fag-end of it in half a minute.

"It was about five years afterwards that I took a cargo of tobacco to Gibraltar, to supply the *contrabandistas*, who, under the broad and powerful shield of the English flag, make the Rock a depot for goods to be smuggled into Spain. Well, I was ashore one day, attending to the sale of some goods at auction in Commercial Square, when, among the sailors who were loitering about, I saw one whose face struck me as being very familiar, but whose name I could not recollect. He passed on, and I should have thought no more about it, such things being common enough, had there not been something in the fellow's look that struck me as being very peculiar, and induced me to pause and think where I had seen him. Suddenly, a recollection of the Moresco business came over me like a blaze of sheet lightning in a dark night. 'That's either Bill, Bill's twin brother, his ghost, or the devil,' said I, as I jumped from a tobacco hogshead, and almost knocked down the American Consul, and fairly running over two Moors, three Jews, and a jackass, took after the sailor, who was still in sight. As I came up with him, he turned, and I could see at once that he recognised me. He touched his tarpaulin, took my offered hand, and called me by name; there could be no doubt that he was the identical Bill.

"'I suppose, captain,' said he, 'that you thought that I had gone to Davy Jones' long ago; but you see I'm alive and flapping. How have you been this long time? how is my old friend, Mr. Clark?'

"'Mr. Clark!' said I, 'Mr. Clark was hanged!'

"'Hanged! the d—l! why that's worse luck than I ever wished him. I only expected that his watch would pitch him overboard some dark night. But what was he hanged for?'

"'For murdering you.'

"'For murdering me!' exclaimed Bill, in astonishment; and I had to repeat the assertion, with an account of the whole affair, to convince him of its truth. 'And now,' said I, 'how is it that I see you alive?'

"We walked out upon the bastion, and took a seat upon the banquette, when Bill began his story, which it would be tiresome to tell in his words. The amount of it was, that he had frequently threatened Mr. Clark that he would jump overboard, and that he had nearly

made up his mind several times to do so; that he came on deck that night, feeling sore from a recent flogging, and somewhat excited by drink, which he and Jack had bribed the old cook to steal from the cabin; that for some time Mr. Clark had the helm, and that after asking for his knife and returning it again, Mr. Clark ordered him to take the wheel—to which he, Bill, replied that it was not his turn yet, and that he, the mate, might lash it or leave it, and be d—ned. Upon this, the row commenced. Mr. Clark jumped at him, struck him a blow in the face, and knocked him down; and that, in falling, his knife came out of the sheath, and, getting under him, inflicted a wound in his side; that, as soon as he could get upon his feet, maddened by rage, pain, and drink, and reckless of life, but anxious to spite Mr. Clark, he had jumped upon the bulwark, resolved to throw himself into the sea; that Mr. Clark seized him, and endeavored to drag him on board; and that it was Mr. Clark's voice that cried for help. With a sudden effort, Bill tore from the mate's grasp, and sank into the water. In falling, he struck his head in the main chains, and for a long time was insensible. Upon coming to himself, the love of life returned, and induced him to exert his powers as a swimmer to sustain himself upon the surface. He kept up until just at daylight, when, his strength being quite spent, he saw a large ship bearing down upon him. She came so close as to hear his feeble hail, and lowering a boat, picked him up and took him on board, where rest and kind nursing soon restored him to strength. The wound in his side was slight, and healed up completely before the ship reached Liverpool. Since that time Bill had been knocking about the world from various ports, until at last his luck had brought him to Gibraltar; and there he stood before me, a living proof of the fallibility of human testimony, and the danger of relying upon circumstantial evidence.

"'I don't want to see any more hanging matches,' said the captain, after a pause, drawing a piece of cavendish from his pocket, and politely tendering it to his auditors: 'I don't want to see any more great moral lessons preached from the gallows or the yard-arm;' and twisting off a piece of the dainty weed, the captain marched off, with the conscious air that always marks your habitual *raconteur*, when he thinks that he has told a story in point.

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## NIGHT.

### A FRAGMENT.

BY D. W. C. ROBERTS.

And now 'tis Night.—Sleep, with its downy wing,
Touches the eyes of mortals, and their souls
Oblivious soar away i' the land of wonders.
The lawyer now forgets the jar of suits;
The laborer the sweat and toils of day;
The worldly man the tedium of life's
Felicities; the unfortunate and sad
The occasion of their tears—and all through thee,
God's gift—sweet blessing, thou rich sleep!

But if thou findest eyes thou canst not close,
Which pain and care keep open and fixed, 'till
The very brain is numbed, and the heart bleeds—
O, then go—gentle, *sweet* sleep, and beseech
Thine own pale brother kindly forth to come,
Now not unwelcome—terrible albeit—
He is life's true physician and the last!

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# MONTHLY FINANCIAL AND COMMERCIAL ARTICLE.

The unsettled state of the foreign relations of the country have continued to exercise an untoward influence upon financial affairs. A manifest hesitancy is discoverable in those quarters to which the public have been accustomed to look for financial facilities. Those who have control of the great reservoirs of money, seem to regard the future with doubt, if not with distrust; and, therefore, there is not that free action in the application of money to loans, which ordinarily distinguishes corporate movements in times presenting no greater commercial causes for alarm than does the present. The condition of the banks of New-York State, on the first of February, as compared with former quarterly reports, was as follows:

IMMEDIATE MEANS AND LIABILITIES OF THE NEW-YORK BANKS.

| *Immediate liabilities.* | *Nov.* 1843. | *Aug.* 1844. | *Nov.* 1844. | *Feb.* 1845. | *Nov.* 1845. | *Feb.* 1846. |
|---|---|---|---|---|---|---|
| Deposits | 27,389,160 | 28,757,122 | 30,391,622 | 25,976,246 | 31,773,991 | 29,654,401 |
| Net circulation | 12,952,045 | 15,349,205 | 17,647,182 | 16,126,394 | 19,366,377 | 18,407,733 |
| Due banks | 4,941,514 | 7,744,118 | 5,664,110 | 3,816,252 | 3,296,249 | 4,662,073 |
| Canal Fund | 1,157,203 | 1,210,794 | 1,534,553 | 1,687,572 | 1,581,330 | 896,843 |
| United States | 1,645,320 | 3,674,171 | 3,786,261 | 700,064 | 3,002,649 | 2,580,711 |
| Total | 48,085,252 | 56,735,410 | 58,023,728 | 48,226,528 | 59,020,596 | 56,201,766 |
| *Immediate means.* | | | | | | |
| Specie | 11,502,789 | 10,161,974 | 8,968,092 | 6,893,236 | 8,884,545 | 8,361,383 |
| Cash items | 3,102,856 | 4,916,862 | 6,047,528 | 4,839,886 | 5,947,585 | 6,370,302 |
| Total | 14,605,645 | 15,108,836 | 15,015,620 | 11,733,122 | 14,832,120 | 14,731,685 |
| Loans | 61,514,129 | 71,643,929 | 73,091,738 | 66,883,098 | 74,780,435 | 71,897,580 |

The apprehensions of a serious drain of specie, which were entertained in the early part of the fall, were not realised, as the winter progressed—a circumstance which arose partly from the stringent action of the banks themselves; and also from the fact, that last year the diminution of specie, which amounted to $2,100,000, was occasioned, in some degree, by the large drafts of the government, to provide for the debt which fell due, January 1st, 1845. This action of the government operated to a far less extent this year; and the curtailment of the banks, from Nov. to February, was not nearly so great as in the corresponding period of the preceding year; and the expension of the banks is greater now than in February, 1845. The excess of immediate liabilities over immediate means, is now $41,500,000, against $71-897,000 of loans, or 60 per cent. In February, 1845, the excess of immediate liabilities was $36,500,000, against $66,883,098, or 55 per cent. From the steadiness of the general market, however, the comparative absence of speculation, and the continued watchfulness of the banks, the loans are of a character much superior to those which, in former years, endangered the solvency of the institutions, not so much in consequence of their excessive amount, as from the fact, that they represented fictitious property; and the system of renewals became customary, from inability to realize money. The loans of the banks are now active, and a long and severe pressure for specie, from any cause, would produce rather a liquidation than a sudden stoppage. Mercantile enterprise is in abeyance, not alone on account of political causes, but because a new era in the history of commerce is about to take date. The great problem of free trade is about to be solved. The hopes of one party, and the baseless fears of those who have long clung, to the theory of protection, are about to be tested. England, the greatest commercial nation of modern times, and the one with which the United States has the greatest connection, is about to throw open her doors to the free movement of provisions and goods; and the United States will respond to the reductions that she makes in taxes on imports. New and hitherto untried elements are, therefore, about to enter into the operations of commerce; and, sound as may be the principles of legislation now to be acted upon by both governments, the natural flow of business is checked at their first adoption. The future holds out much of promise; but the new channels of business about to be opened, are not as yet familiar to the mercantile public. It is probable that the next news which reaches here, from England, will be, that the large reductions proposed by the minister, in the duty on corn, and the removal of those on American

provisions, will have taken place; and this amelioration will have occurred at a time when the stock of food, resulting from the last harvest, known to have been deficient, will be daily diminishing in quantity and advancing in value. Every succeeding week's consumption will require a larger proportion of food of foreign growth. The situation of the grain markets of Europe, at this juncture, is such as to give the United States almost the monopoly of supplying the demands of England; and the large trade in provisions, which sprung up betwen the United States and England, as a consequence of the amelioration of the English tariff of 1842, will receive a new impulse; more particularly if the proposed reductions in the United States tariff take place in October next, admitting in return the proceeds of the produce sold abroad. Perhaps, however, the greatest effect of the proposed change will be evinced in the article of cotton. It has long been an acknowledged law of the cotton trade, that whenever food in England is dear, the consumption of that article, as well as of most other comforts, is singularly diminished, and the price falls in consequence; and *vice versa*, when food is cheap the consumption increases, and the price of the raw material rises throughout the south. This being a known and regulating principle in the course of the cotton trade, every well-informed dealer governs himself with reference to the state of the harvest. In view of this cardinal fact, the corn-laws of England, operating, as they do, to maintain a high price for food, must be regarded as enactments *against* the consumption of cotton, and their repeal be looked upon as the permanent removal of a cause which has produced, occasionally, the most disastrous revulsions and the greatest losses on this side of the Atlantic. The repeal of the corn-laws is advocated avowedly with the view of ensuring a permanent cheapness of food; and, as a consequence, of an uninterrupted improvement in the cotton trade. The means by which this cheap food is to be ensured, is to allow the superabundant produce of the American states to flow in, to the extent necessary to make up the requisite supply for British consumption, and thereby to draw from the western states of America sufficient food to keep down the prices in England, as a means of enhancing her purchases of the great staple of the south; or, in other words, the more grain she buys of the west the greater sum must she pay the south for its cotton. This effect upon cotton must also be enhanced by the operation of the trade upon the west. Thus, with the removal of the present prohibitive tax upon cotton goods, a large variety of cotton fabrics, now not consumed at all in this country, because they are not made here, and their import is prohibited, will enter into the uses of the people at large, and at the moment when this cheap supply comes to hand, their ability to buy it will have been created by the large sales of their own produce to England. The enhanced consumption in this country, that may be brought about by these means, will probably equal 200,000 bales. The comparative consumption of cotton in Great Britain and the United States, for a series of years, affords singular evidence of the degree in which the consumption of cotton goods in the U. States has been stifled by the high prices and prohibitive taxes. The consumption of cotton in Great Britain has been as follows:

| | Lbs. entered for consumption. | Expert in yarn goods, &c. | Consumed in Great Britain. | Population. | lbs. pr head. | Duty. |
|---|---|---|---|---|---|---|
| 1826 | 155,032,868 | 115,507,740 | 39,525,148 | 14,391,631 | 2¾ | 10 per ct. |
| 1845 | 494,766,487 | 336,866,327 | 155,900,160 | 18,539,335 | 8¾ | 10 " |
| Increase | 339,733,599 | 221,358,587 | 118,375,012 | 4,140,704 | 5¾ | |

These figures for 1826 are taken from Marshall's Digest of Parliamentary Tables, and those for 1845 are extracted from "Burns' Glance." The principle on which the weights are estimated, in Marshall's Tables, is for the goods at one lb. of cotton to three yards of cloth, and 10 per cent. allowance for waste on the actual weight of yarn exported. The same principle holds in the tables of "Burns' Glance." The result is an increased consumption of 5¾ lbs. of cotton, per annum, for each inhabitant of Great Britain, notwithstanding the "dear food," and numerous oppressions which her "pauper labor" actually sustains. If we now turn to the United States, for the same period, we have results, as follows:

| | Cotton retained for consumption. bales. | lbs. | Weight of goods imported. | Consumption. lbs. | Population. | lbs. per head. | Duty. |
|---|---|---|---|---|---|---|---|
| 1826 | 103,483 | 34,149,390 | 18,000,000 | 54,149,390 | 9,654,596 | 5¾ | 70c110 |
| 1845 | 389,908 | 159,492,460 | 12,343,869 | 171,835,329 | 17,063,353 | 10 | 80c100 |
| Increase | 285,583 | 125,343,070 | | 117,685,939 | 7,408,757 | 4¼ | |

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The quantity of cotton taken for consumption in the United States is that as given in the New-York Prices Current, which is received as correct, in absence of other data. The weight of imported goods is estimated on the treasury returns at the rate of 3 yards to the lb.; as, for instance, there were imported, in 1845, 25,027,699 yards of dyed cottons, 11,262,468 yards of white, 426,884 yards of velvets, &c., making 36,716,981 yards; and also, 103,869 lbs. of yarns, equal to a weight of 12,342,862 lbs. of cotton, not allowing for waste. There is a quantity of cotton taken into the western and southern factories, which does not appear in the returns of the Price Current, inasmuch as it does not first reach the sea-ports. This may be estimated to be about equal to the export of foreign cotton goods, and of domestic goods exported. The general result then is, that the "starving" and "pauper laborers" of England have, from 1826 to 1845, enhanced their consumption of cotton 5¾ lbs. per head, while the United States, the greatest cotton-producing country, with all its vaunted increase or prosperity has increased the consumption but 4¼ lbs. per head. In the same period England has increased her exports of goods, manufactured by herself from United States cotton, equal to 339,733,599 lbs. of cotton. The increase to China and India alone, from 1841 to 1846, was equal to 60,000,000 lbs. raw cotton. The United States, on the contrary, have *not increased their export of cottons at all.* If we contrast this slow progress of the cotton consumption with that of coffee in the United States, as compared with Great Britain, we shall have results as follows:

CONSUMPTION OF COFFEE.

| | United States. | Per head. | | Great Britain. | Per head. | |
|---|---|---|---|---|---|---|
| | lbs. | lbs. | oz. | lbs. | lbs. | oz. |
| 1821 | 13,801,857 | 1 | 6 | 7,327,963 | 0 | 8 |
| 1845 | 107,860,000 | 5 | 11 | 31,394,285 | 1 | 10 |
| Increase | 94,578,143 | 4 | 5 | 24,066,942 | 1 | 2 |

Here, then, we have the fact, that cottons in England, forming necessary clothing for the masses of the people, being lightly taxed, increased faster than in the United States, where a monopoly of the manufacture is given to a few persons. On the other hand, the monopoly of the supply of coffee in England is given to the colonies; and in the United States it has been *free of duty* since 1832. The consequence is, that the consumption of coffee in the United States has increased 4lb. 5oz. per head, against an increase of 1lb. 2oz. in England, in the same time. Cotton goods are as necessary to the people as coffee, and the increase in the consumption would have been as large, had it been equally free. This oppressive system has made a difference of at least 200,000 bales in the demand for the annual crop, and by so doing has taken *millions of dollars* out of the pockets of southern planters, and put them into those of the English cotton lords. As, for instance, an extra demand for 200,000 bales of cotton last year, would have raised the value of the whole crop, at least ½ a cent per lb., or $2 per bale, which would have made a difference of $4,000,000 in the price paid by England for the raw material. In the present year the appearances are, that the crop will be shorter by some 200,000 bales than last year. The annexation of Texas has imparted an activity to the migration of planters, with their working hands, which will greatly diminish the force employed upon the present United States crop; and it will not have become available in developing the supplies from Texas. This is in some degree fortunate, inasmuch as that a diminished supply this year will give stability to prices, until the causes for an extended consumption shall have more fully developed themselves. In a succeeding year it may be fairly estimated, that the elements of enhanced consumption, now about to be brought into activity, will so far have developed themselves as to have reversed the operation of the last few years, and production will no longer exceed demand. Nor will the latter, withering before a blighted harvest, cause enormous stocks to accumulate, to the ruin of the market. A steady and remunerative sale for cotton, with a regular increase in the quantity produced, added to the large drafts which the west must necessarily make upon Great Britain, for sales of farm produce, will involve very large returns, and with those returns the means of investing capital safely and profitably. It may be expected to draw into the country, in a legitimate way, an amount much larger than that loaned, in former years, upon stocks, with the hope of repayment.

The advantages which the western states in particular will derive from the extension of their markets, over the 27,000,000 of people in Great Britain and Ireland, can scarcely be estimated at the present time. One of the first and most gratifying effects will probably be, such an

increase in the revenues of the public works, as will furnish ample means for restoring the credit of those states which overreached their strength in contracting debts for the construction of public works, in order to afford an avenue for their produce to market. The conviction of this fact served to support the prices of the stocks of the western states in the London market, when the determination of that government to admit American produce free of duty, was announced. It is true, that war fears have induced the sending of some amounts of stocks, long held in Europe, to New-York for sale; but the quantities are not large, and the general conviction seems to be, that free trade and commerce will triumph over war and aristocracy. At the late sessions of the legislatures of the several states, some movement has been made in all of them towards a payment of their delinquent interest; and, as a general whole, the amount of outstanding obligations is gradually diminishing. The following is a table of the debts of each state, distinguishing the rates of interest paid. The whole is carefully compiled from the official documents presented to the several legislatures at the late sessions.

DEBTS OF THE FEDERAL GOVERNMENT, AND OF THE SEVERAL UNITED STATES, FOR JAN., 1846, DISTINGUISHING THE RATE OF INTEREST.

| | 4 | 4½ | 5 | 5½ | 6 | 7 | Floating. | Total. |
|---|---|---|---|---|---|---|---|---|
| United States | | —— | 7,004,231 | | 8,343,886 | | 2,297,566 | 17,645,683 |
| Maine | | —— | —— | | 1,590,931 | | 142,166 | 1,739,097 |
| Massachusetts | | | 5,049,555 | | | | 1,022,339 | 6,071,894 |
| New-York | | 887,780 | 12,776,807 | 2,148,600 | 3,181,782 | 3,617,136 | | 23,641,505 |
| Pennsylvania | 200,000 | | 34,786,932 | | 1,752,335 | | 2,988,554 | 39,727,821 |
| Maryland | 1,122,000 | 100,000 | 10,135,425 | | 3,829,358 | | 1,464,801 | 16,651,684* |
| Virginia | | | 1,055,000 | 35,300 | 4,987,747 | | 1,406,021 | 7,374,068 |
| South Carolina | | | 2,434,502 | | 800,000 | | | 3,234,502 |
| North Carolina | | | | | 50,000 | | | 50,000 |
| Georgia | | | 222,510 | | 1,435,250 | | | 1,727,760 |
| Florida | | | | | 3,400,000 | | 1,200,000 | 4,600,000* |
| Alabama | | | 9,239,555 | | | | 3,914,210 | 13,146,765 |
| Louisiana | | | 14,045,226 | | 1,313,000 | | | 15,358,226* |
| Arkansas | | | 1,000,000 | | 2,000,000 | | 1,284,000 | 5,184,000* |
| Mississippi | | | 5,500,000 | | 2,900,000 | | 2,482,500 | 9,882,500* |
| Missouri | | | | | 922,261 | | 91,305 | 1,013,566 |
| Kentucky | | | 615,000 | | 3,762,000 | | 283,000 | 4,661,400 |
| Tennessee | | | 1,975,250 | 263,166 | 1,000,000 | | | 3,238,416 |
| Illinois | | | | | 11,614,197 | | 1,218,275 | 12,832,472* |
| Indiana | | | 11,090,000 | | | | 3,505,430 | 14,145,130* |
| Ohio | | | 550,000 | | 14,914,281 | 1,500,000 | 3,005,719 | 19,970,000 |
| Michigan | | | | | 3,399,786 | | 721,934 | 4,121,720* |
| Wisconsin | | | | | 18,900 | | | 18,900 |
| Total | 1,322,000 | 987,780 | 117,549,993 | 2,436,466 | 71,116,714 | 5,147,136 | 26,394,920 | 225,131,309 |

Those marked thus * are the delinquent States.

Under the caption "floating debt," is embraced, for the most part, the arrearage interest due by the delinquent states. In the case of the federal government, it comprises treasury notes and the debt of the District of Columbia; in other cases, as Massachusetts, Alabama, Pennsylvania, and Ohio, it consists of domestic indebtedness and liabilities, such as scrip, bank circulation, &c. North Carolina has not, properly, a debt; but the $50,000 has been borrowed by the state from the Bank of Cape Fear—a most ominous transaction, inasmuch as it was precisely in this manner that repudiation was originated in the delinquent states. In the case of Mississippi the five per cent. bonds are those repudiated, and the floating debt comprises the arrearage interest on these bonds as well as the six per cents., which are the planters' bonds, and to pay which an effort has been made at the present session of the legislature. The Governor pointed out the means, and earnestly advised their application to that desirable object. In Maryland, an attempt has been made to procure the passage of a bill to pay the debt by taxation, but without success. The tax bill and the bill to refer a call for a convention, to amend the constitution to the people, were both rejected, by nearly the same vote. The Governor of Maryland and the Committee of Ways and Means strongly advised the adoption of efficient means to redeem the state honor. The committee proposed that the arrearage interest, which will amount to $1,200,000 in July next, should be funded; in which case the revenues of the state would yield a surplus of $100,000, after paying all expenses of government and interest on the public debt. A bill to carry out this advice was introduced into the House of Delegates, and *lost* by a vote of 35 to 36. In order to avoid the disgrace of adjourning without doing anything to apply their ample means to the payment of just debts, another bill was introduced, fixing April, 1847, as the day of redemp

tion, and authorizing the treasurer to sell the bank stock held by the state, *and apply the proceeds to interest arrearages.* This passed the House, and failed in the Senate by a vote of 8 to 9, showing a deliberate determination to hold propery and defraud creditors. When we remark, that all the delinquent democratic states have done something, with less means than Maryland, towards paying their debts, the course of this whig state becomes more marked. The excuse for withholding from creditors money paid by the people for their relief, was the fear of "suspending again." You owe a man $1000, and will not pay the $500 you have to spare, for fear you will not be able to pay the balance! The fear was a false pretence of time-serving demagogues. The *people* of Maryland have paid, and will continue to pay, promptly. The official returns of taxes show that the levy for 1845 was $443,608, and the amount of cash and coupons received into the treasury was $507,781, or $64,173 more than the levy for the current year. The people pay cheerfully to redeem their honor, but their faithless servants misuse the funds, and abuse the confidence reposed in them. The bruit goeth shrewdly forth, that floating coupons and depreciated stocks afford far too profitable a means of gambling, to have them put out of the way as yet.

In Michigan, the annual interest on the debt acknowledged amounts to $240,000, and the state taxation is as follows:

| | |
|---|---|
| Aggregate valuation | $98,922,000 |
| State tax | $73,305 23 |
| School tax, ½ mill | 14,463 15 |
| County tax | 159,753 34 |
| Town tax | 80,000 00 |
| Road tax | 180,789 70 |
| Total | $507,311 42 |

The chief dependence of Michigan, for the discharge of her debt, are the two rail-roads—the Central and Southern—which cost $3,928,702. These roads, being in debt for iron, and incomplete, and badly managed under state authority, cannot yield sufficient to pay the interest. A bill has therefore passed the legislature to incorporate William Sturgis, Josiah Quincy, R. B. Forbes, S. H. Perkins, and other Boston gentlemen, as the "Michigan Central R. Road Co.," and to sell them the Central R. Road for $2,000,000, $500,000 to be paid in six months, and the remainder in one year thereafter—the state to receive in payment the bonds of the $500,000 loan, at the rate of $431 30 cents per bond of $1000, and other evidences of state liability. Should this be carried out—and it passed the House by a vote of 41 to 9—the state debt will be more promptly settled than by any other means, and the completed and well-managed rail-road will confer great benefits on the people of Michigan, while it will relieve them from dishonor and taxation.

The state of Pennsylvania continues regularly to pay its interest, and the taxes levied for that purpose were paid last year with remarkable promptness. The following shows the levies and collections for several years:

These, promptly as they have been paid, and fully sustaining the character of Pennsylvania as a tax-paying state, do not quite suffice for the full discharge of her large liability; but the revenues of her public works may be confidently expected to improve, under a more liberal commercial policy.

PENNSYLVANIA TAXES ASSESSED AND COLLECTED.

| | Tax assessed. | Tax collected. | Excess assessm't. | Excess collect'n. |
|---|---|---|---|---|
| 1841 | 523,300 44 | 33,292 77 | 489,907 67 | |
| 1842 | 663,075 12 | 486,635 83 | 176,439 27 | |
| 1843 | 992,366 81 | 553,911 38 | 438,905 43 | |
| 1844 | 946,055 60 | 751,210 01 | 194,845 59 | |
| 1845 | 1,390,751 56 | 1,318,332 02 | | 17,889 46 |
| Total | $3,495,389 23 | 3,143,382 03 | | |

In Mississippi, the Governor, in his message, pointed out the means, and strongly advised their application to the payment of the interest on the planters' bonds. A bill to that effect has been before the House, but its passage is doubtful. The first session of the legislature of Florida as a state has taken place, but no allusion to the old territorial bonds has been made.

The secretary of the Kentucky treasury proposes to raise, annually, $50,000, to constitute a sinking fund, which shall extinguish the debt at its maturity in 30 years from date.

The Louisiana five per cent. debt is that due from the "Property Banks," viz., the Union, the Citizens', and the Consolidated Planters'. The liability of the state is that of an endorser, the payment of the bonds being first dependent upon the assets of the banks. The Planters', for which $2,000,000 bonds were issued through the house of Lizardi in London, has made a return of its affairs to the legislature—showing, that since the 21st April, 1843, the liabilities have diminished $735,356, and the assets $688,355. The remainder of the assets will undergo a considerable loss

on the protested paper and doubtful claims. These banks are all extinguishing, as rapidly as possible, the bonds unfortunately issued by the state for their capitals.

In Illinois, the payment of the tax towards the discharge of a portion of the state interest has been promptly made, and the payment will take place in July next. The work on the canal, under the trustees, is being prosecuted with success. The bill passed by the legislature of Indiana, on a plan in some respects similar to that of Illinois, has not yet been accepted by the bond-holders, and doubts are entertained of their willingness to adopt it.

The whole mass of indebtedness has considerably diminished during the past year, by payments on the part of the federal government, New-York, South Carolina, &c., and through the retirement of bonds in other cases, more particularly of Louisiana, Illinois, &c. There does not appear to be any disposition, in any of the states, to renew the contraction of public debts for any purpose, or to grant acts of incorporation, unless embracing the individual liability clause. The constant and general tendency seems to be, to extinguish debts and prevent the growth of corporate privileges. In nearly all the states, where a movement for constitutional reform is either in progress or has been consummated, a strong popular feeling declares itself against debts and corporations; and the new constitution of Missouri guards amply against corporate abuses. In the federal Congress, Mr. Dromgoole, of the Committee of Ways and Means, has given notice of amendments to the bill "to provide for the better organization of the treasury," by which the clauses of the acts of July, 1789, and May, 1800, directing all dues to the United States to be paid in gold and silver only, shall be revived, and take effect after June, 1846. In Pennsylvania, numerous bills for new banks have been vetoed by the Governor. Unhappily, however, in Ohio and Indiana, the bank mania is progressing in a manner to excite the liveliest alarms.

The general state of affairs may be summed up to be, strict economy on the part of the federal government, a return to sound principles and the constitutional currency in the treasury department, and a removal of restrictions upon trade, by which the markets for produce will be widely extended, and those oppressions upon labor for the benefit of capital be removed, while present debts and prospective taxation are in process of diminution, accompanied by a rapid cure of those sores upon the body politic—privileged corporations.

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## NOTICES OF NEW BOOKS.

*Elements of International Law*, by Henry Wheaton, L.L. D., Minister of the United States at the Court of Prussia; Corresponding Member of the Academy of Moral and Political Sciences, in the Institute of France; Honorary Member of the Royal Academy of Science at Berlin, etc. etc; revised and corrected.—Third Edition. Lea & Blanchard. Phil.

This most valuable work should be in the hands of every American who sets value upon his right of participation in the government of the country. Although the law of nations is the law of sovereigns, and it is principally for them, and for their ministers, that it has hitherto been written, all men are interested in it. In a free country like this, where every citizen forms part of the government, and is called upon to express his opinion through his vote; and by so doing to affect the action of government on measures that involve peace or war, and consequently, the condition and fortune of all, it becomes necessary for each to acquire some idea of those great principles of action which regulate the intercourse of nations with each other. The experience of the past has shown but too fatally, that those who govern in Europe trouble themselves very little about what is right, if they can obtain what they think to their advantage, by any means. The writings of Hobbes, Puffendorf, Grotius, Wolfius, and Vattel, successively developed and defined the great principles which ought to regulate the intercourse of nations, digested into laws which are more properly denominated the science of the law between nations, as derived from the law of nature, growing out of the natural freedom of all men. These applications of the law of nature to the position of nations, in relation to each other, had all reference to the affairs of Europe; and the examples were mostly drawn from the ferocious acts of cruel and brutal governments, as ignorant of any science of law, as they were regardless of the rights of the weak. The first exercise of that spirit, which was supposed to govern the law of nations, was on the part of the United States, when the free principles of our institutions were expressed, in the determination to ask for nothing but the right, and submit to nothing wrong. The peculiar position of the United States, aloof from European poli-

tics, and cherishing institutions, at variance with all those of other nations, necessarily involved great changes in the manner of intercourse. And the policy of the government, early adopted, was not to interfere in the concerns of the European powers; to consider the government *de facto*, as the legitimate one; to cultivate friendly relations with it; meeting, in all cases, the just claims of every power; submitting to injuries from none. The United States also declared, that it should consider any attempt on the part of the allied European powers, to extend their political system to the American continent, as dangerous to the peace and safety of the United States. With these avowed principles near 70 years of intercourse with foreign nations have passed away, about one half of which was spent by them in war; and a great number of questions have presented themselves, having an important bearing upon the future position of the United States, in respect to the rest of the world. All these events have been brought to bear, by Mr. Wheaton, with admirable skill, and through them the application of that system of rules by which all nations profess to be governed, is made to the affairs of this country. This subject, usually so dry, Mr. Wheaton has enlivened and made eminently interesting to the general reader, through the clearness of his style, and in joining to maxims examples drawn from the great events that have occupied the public mind, down to the treaty of Washington. The progress of events now points to a great crisis in the affairs of this continent, as influenced by the action of European governments; and it becomes a matter of absorbing interest to understand the principles that have hitherto governed this country in its foreign relations. We doubt not but this elegant and attractive volume will find extensive circulation.

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JOURNEY TO ARARAT, *by Dr. Friedrich Parrott, Professor of Natural Philosophy in the University of Dorpat, Russian Imperial Counsellor of State, Knight of the Order of St. Anne, &c.* With map and wood-cuts: translated by W. D. COOLEY. Harper & Brothers.

This is a small volume of intense interest, describing the journey to, and ascent of that sacred mountain, held in equal veneration by Jew, Mahomedan, and Christian, which was supposed to have been unvisited by human footsteps since the "waters subsided," and gave a resting-place to that casket of animal life which contained the restorer of our race. The ascent of the summit of Ararat has been pronounced impossible, inasmuch as that it is a cone of steep ice. Similar supposed impossibilities, in the case of the ascent of Caucasus, by the same traveller, in 1811, have, however, been proved to be quite practicable, by so enthusiastic a traveller as Mr. Parrott. The adventures which were encountered, and the customs and manners of the people of that interesting section of the world, are admirably described, and beautifully illustrated with maps and engravings.

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*The Farmers' Dictionary:* a vocabulary of the technical terms recently introduced into agriculture and horticulture from various sciences; also, a Compendium of Practical Farming, chiefly from the works of RHAM, LOUDON, LOW, and YOUATT, and the most eminent American authors. Edited by D. P. GARDINER, M. D. New-York: Harper & Brothers. 1846.

This valuable compilation, from the authors named in the title, was designed in the outset to explain the many technical terms used by writers on agriculture, and to aid in forming a more simple and intelligible nomenclature. It embraces, however, many brief and important essays on practical farming, from some of the best writers in Europe and America, and makes a handsome volume of near nine hundred pages. It should be in the possession of every farmer. In this day of general interest in agriculture, and inquiry into the improved methods of farming, and when the *profits* of the intelligent *book-farmer*, as he is sometimes sneeringly called, is awakening the minds of thousands, who have gone on in the same line of drudgery and routine of their forefathers, made still harder by the new and profitable methods introduced around them—when this success is touching their interest, and in the same degree awakening their minds to the rich treasures which the chemist and geologist are discovering in the elements of nature—a book like this will be sought and read with profit. The work is illustrated with numerous cuts, in explanation of the essays on grasses, irrigation, horse-power, and other machines used by the successful agriculturalist.

We rejoice that the day is at hand when the prejudice which has kept so many of the hard-working men of this country poor, is fast waning. There is no country comprising within the same extent of territory so many acres of rich, arable land. The profession of the agriculturalist is a secure—a noble one.

In the true democratic sense, though by a much abused term, the farmer constitutes a large portion of the "bone and sinew" of the country. We therefore commend, with special interest, every new work calculated to make him more intelligent, and to make his labor more profitable. Such seems to us the character of this work.

**Sermons, *by George W. Bethune, Minister of the 3d Reformed Dutch Church, Philadelphia.* Mentz & Rovoudt, 53 North Third-street, Philadelphia. Saxton & Miles, New-York.**

This volume of sermons will add to the high reputation of the minister of the Reformed Dutch Church, already esteemed by the religious public as a valuable member of the clergy. The truths set forth are made the more attractive, by the grace of style, and elegance of composition which characterize the volume before us. The perspicuity and force of expression, in which the great truths of the Bible are uttered, are calculated strongly to impress the reader, and convey a strong sense of the moral obligations under which he lies. They may be read with pleasure by the scholar, with instruction by the literary man, and with improvement by the moralist. The volume, which, for fineness of paper, and costliness of execution, has been seldom surpassed, may be found at the store of Messrs. Saxton & Miles, and Robert Carter.

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*History of the English Revolution of* 1640, commonly called the Great Rebellion, from the accession of Charles 1st to his death. By F. Guizot, the Prime Minister of France: author of "History of Civilization in Europe," etc. etc. Translated by William Hazlitt. D. Appleton & Co., 200 Broadway. 12mo.

In presenting this work to the public in a neat and exceedingly well printed edition, the Messrs. Appleton have conferred a real favor on the lovers of history. The writings of M. Guizot are far from being a common possession in this country. He is more generally and unfavorably known as the minister of a treacherous court, who has lately attracted popular attention as the hardy proposer of the application of the European balance of power to the affairs of America, than as the occupant of the professor's chair and the able historian. It may perhaps be a matter of regret that M. Guizot quitted the occupation of the historian for the chicanery and tergiversation of a prime minister in a government struggling to keep terms with the growing spirit of liberalism among the people on the one hand, and with the jealous fears of allied governments on the other. In the works of M. Guizot there is a comprehension of views, a consistency and clearness of narration, which indicate a full possession of facts, and a deliberate and mature digestion of their general results. In the work before us, commencing as it does with the accession of Charles 1st to the throne of Great Britain, in 1625, he traces with singular clearness and animation, the progress of the public mind and the growth of the confidence of the people in themselves at every attempt they made to resist the innovations of the crown. In the double revolution of the dissenters against the state religion, and of the commons against the crown, concurring in resistance to the encroachments of a haughty and weak Prince, and the dictates of a vain and harsh Prelate, the national passions became gradually aroused, being rather irritated than otherwise by the feeble efforts of the government to enforce its measures, passed rapidly from resistance to innovation—to innovation on its own part—and the ancient prerogatives of the crown were swept away before the sturdy temper of an aroused people. The interest and excitement of the story are kept up throughout, and the mind of the reader becomes strongly impressed with the immense results of that great movement of the people, when from centuries of apathy they seemed suddenly to awake to the fact that they had rights in the government of the nation of which they composed the body. For ages even the imagination of the masses had not soared so high as to give them the idea of taking a permanent and positive part in the government. In the aristocracy alone, they thought, inhered such high duties. The long peace of the 16th century promoted industry and accumulated wealth, which conferred self-confidence while it demanded greater security, and James began to experience that passive firmness to his encroachments which Charles, by his inflexible temper, excited into active opposition, and which, ripening into popular passion, before which the privileges of the crown perished, subsequently subsided into a calm and dignified consciousness of popular rights, to test the firmness of which cost the restored house of Stuart its crown. We have little doubt but that the work will, by its extensive sale, encourage the reproduction of others of M. Guizot's historical labors.

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***Sermons Preached in the Chapel of Rugby School; with an Address before Confirmation.*** By Thomas Arnold, D. D. New-York: Appletons.

Dr. Arnold has become already extensively known as a man of unusual intellectual independence and power—as a Christian of peculiar loveliness, and a most affectionate character—and as a teacher of great boldness and remarkable precision of system. The several volumes of his lectures, history, and miscellanies, have already been noticed by us. The present volume, though very modest and unpretending, is not of inferior interest in its particular line. We may say of him, "he hath done all things well." Here he is speaking to boys, some of whom were

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very young, upon the most important of all subjects—and, to quote one of his own texts, with a slight alteration, "when he is a child, he speaks as a child." He adopts the most simple style of illustration in exhibiting Scriptural truths of the highest character, and leaves an impression distinct and clear upon the most youthful mind with which he deals. He completely displays the fact, that a man may treat upon the highest topics with success, among the most limited minds, if he will adopt language and illustration suited to their capacity and adapted to their own experience. That such a volume as this will become a popular book, we can hardly expect; but it will be valuable for a help to all that large and most important class of persons to whom the education of the young has been entrusted. To their hands the country and the church have committed much, and much is expected of them. To them we would commend the little work before us. It will strike out for them many valuable trains of thought.

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*A complete Hebrew and English Critical and Pronouncing Dictionary:* On a new and improved plan. Containing all the words in the Holy Bible, both Hebrew and Chaldee; with the vowel points, prefixes and affixes, as they stand in the original texts; together with their derivation, literal and etymological meaning, as it occurs in every part of the Bible. Illustrated by numerous citations from the Targums, Talmud, and Cognate dialects. By W. L. Roy, Professor of Oriental Languages, in New-York. To which is added, an English Index of nearly one hundred pages. Second edition. Leavitt & Trow; Newman; Colby, &c.

Such is the title of a work lately issued by the enterprising firm of Leavitt & Trow. We happen to be acquainted with the author, and consider him well qualified for the task, having for the greater part of his life been devoted to the study and teaching of Oriental Literature. The preface is a condensed summary of the advantages, difficulties, and facilities of the study of Hebrew, and shows that kind of acquaintance with the language which a *Teacher* would naturally possess. It is to be regretted, that so few of those who devote themselves to the work of the ministry of the New Testament, make themselves acquainted with the Hebrew. Perhaps while at College they do, nolens volens, acquire something of the Hebrew, but usually this slight smattering is soon abandoned, and the common version of the Old Testament is all which he possesses, who pretends to be a man of God, "thoroughly furnished." But we know no reason why the Hebrew should not be included as a branch of polite literature. There are as many beauties in the Hebrew Classics as in the Greek. In beauty, boldness, variety, and richness of figure, imagery, and depth of thought and expression, the Hebrew Poets and Sages stand unrivalled. The Greeks were more philosophical, but not more truly learned, nor wiser. In the knowledge of nature and man, the Greeks never produced a Solomon, and who among their Poets can compete with Isaiah and Jeremiah? As moral and mental philosophers, we will present Jesus and his Apostles, as competitors for the palm and crown, to the whole civilized world, and they were Hebrew scholars. Whoever wishes to acquire a knowledge of the Hebrew, may now find a very convenient help in this Lexicon.

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*Memoir of the late Reverend Alexander Proudfit, D. D.*, with selections from his Diary and Correspondence, and recollections of his life, &c. by his son. By John Forsyth, D. D., of Newburgh. Harper & Brothers.

This volume is one of more interest than usually attaches to ordinary religious biographies; the passages from the private diary of the deceased, impart a value to it that will at once commend the work to the notice of the Christian reader. Dr. Proudfit was an efficient minister of the Dutch Reformed Church, in Salem; his exemplary character while living earned for him the love and esteem of the wise and good, among a large circle of friends and the public, and his lamented decease, of which this work is designed to be a living memento, has cast a halo round his name and memory that savors of the upper and better world. We commend this pleasant, pious and profitable volume to all religious readers, assured they will be pleased with its contents.

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☞ The able article of Hon. C. Cushing, in our last number, by a slight inadvertence, went to press with several typographical errors, of which we designed to have made an errata, but have not the space.

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THE

# UNITED STATES MAGAZINE

AND

# DEMOCRATIC REVIEW.

MAY

## THE INDEPENDENT ...

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THE

# UNITED STATES MAGAZINE,

AND

# DEMOCRATIC REVIEW.

VOL. XVIII. MAY, 1846. No. XCV.

## THE INDEPENDENT TREASURY.

FROM the first settlement of the North American continent by a free and enterprising Anglo-Saxon race, the great and unequalled advantages of soil, climate and population which it has possessed have been counteracted, to a very great extent, by two modes of seeking the same end, viz., to make the many work for the few, or to procure large profits for capital at the expense of labor. The means used for this purpose have been monied corporations and the protective system. Of all devices for appropriating the proceeds of the labor of many to the service of a few, the paper system, as conducted by monied corporations, having special privileges, has been the most successful and the most injurious to the well-being of the country at large. That the country, with its great natural advantages, has progressed in wealth and power in spite of the pernicious influence of paper money, has been taken in many quarters as a proof of the necessity of such issues.

The body of men who first came to this country as settlers, may be said to have stood on a footing of perfect equality in relation to each other. That is to say, each depended on the proceeds of his own labor and industry, and enjoyed their fruits. The common product of all their labor enhanced the general wealth. Very soon, however, the scheming and the knavish sought to obtain more of the general wealth than their own industry would yield them. This could be done on the part of the government, or those officers sent out from England to enrich themselves at the expense of the colonists, only by direct taxation, or by obtaining the products of industry on promises, issued in a shape to circulate as money. The issue of this paper absorbed a large portion of the proceeds of industry on the specious pretence of "furnishing a currency." The feeble state of a colony, which had hardly taken root in the country, could not bear the weight of sudden and heavy taxes, levied at the will of an imported governor; he therefore issued bills to the amount of what he wanted, and caused them to pass current in all payments. A moderate tax was then commonly laid, or some persons were found willing to engage their lands as security for gradually sinking this debt and calling in the bills. New exigencies and new demands upon the government produced constantly increased emissions, and in spite of all the rigor of the authorities, in attempting by laws to sustain the value of the paper as compared with specie, the bills fell to very heavy rates of discount. The intercourse of business and the industry of society suffered intensely under the fluctuations of this wretched currency, the increase of which indicated the necessities of the government, which were the greater the more trade declined, by reason of the various oppressions it underwent. The evils that grew out of this use of paper were great; and the clause of the Constitution of the

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United States, prohibiting the new states from ever renewing such a description of issue, is evidence of the deep sense entertained by the framers of that instrument of the mischiefs that attend such a currency. They had had no experience of the paper money issued by banks, and the new-formed states imagined if corporations, created by state governments, issued the "bills of credit," and pretended to pay them no demand in specie, that that restriction would remedy the great evils that sprung from the issues of the government, made a legal tender.

The Constitution of the new states forbade the legalizing of paper money. It recognized gold and silver only as a circulating medium, and gave to Congress the exclusive right "to coin money and regulate the value thereof." The idea of requiring any corporation or government to *furnish* a currency was not dreamed of. There was, however, at that time, nothing that could be called money in the country; specie had disappeared, and issues of bills of credit, to which the Confederation had resorted as a means of carrying on the war, had ceased, in consequence of the worthlessness of the paper as money. Then it was, with returning peace, renovated energies and revived industry, that Congress should have adhered to specie in its transactions, and faithfully performed its duty of "coining money and regulating the value thereof." The gold and silver of most countries is furnished in such quantities as are required by the operations of commerce; and the "money" of a country signifies merely the government stamp fixed upon a piece of the metal, to certify that it contains a certain quantity of a certain quality of gold. This stamp is affixed for no other purpose than to facilitate its transfer from hand to hand. The prices of commodities signify the quantity of the precious metals that can be obtained for them, and also signify the quantity of any article that may be obtained for a certain number of grains of gold. These quantities vary under different circumstances of production in all countries. It is the business of commerce to ascertain the differences, and to strive continually to equalize them. The argus eyes of the merchants of all countries are continually seeking for commodities in one ocation, that will command a larger quantity of gold or silver in some other situation, and also where gold and silver are most wanted. A barrel of flour in New-York, for instance, is worth five dollars, or 129 grains of gold 900 thousandths fine. In Liverpool it is worth 30 shillings sterling, or 185 grains of gold 915 thousandths fine. It will command, therefore, in Liverpool, 56 grains of a little better quality of gold than it will in New-York. A part of that difference is, however, the value of the labor and capital employed in the transportation. When this difference in the quantity of gold that may be obtained in each place extends to many articles, it signifies not the abundance of those articles, but the scarcity of gold; and commerce, therefore, transfers as much of the precious metals to the place where they are wanted as supplies the demand for them. When, however, they arrive in the country, they are in a shape not suited to be used as money. The public are not familiar with the quantity and quality of the metals contained in each piece of foreign coinage, and the labor of ascertaining those facts by assay and weighing, reduces the operation to one of barter. It is, therefore, of the highest necessity that the government should meet these arrivals of the metals at the threshold, and with as little delay and expense as possible, place a stamp upon them which makes their value known to every citizen at a glance. The demand for the metals, and the necessity for this coinage, was intensely felt when the new government was organized, and in 1790 a law was passed establishing the mint at Philadelphia. This location of the mint was an error. To be useful, the mint should be at the point where the specie arrives from abroad, in order that no expense of its coinage may be incurred by the owner. Most of the precious metals arrive at New-York; and until late years the expense of getting it to Philadelphia was so great as to amount to prohibition, and down to 1838 that mint was the only means of coining money for the whole United States. This error of the government in relation to the mint, was accompanied by another in its neglect to establish a treasury of the United States. The fiscal affairs of the government were left without regulation in the hands of the officers for the time being. These officers sought the most convenient

mode of conducting the public business, and they in a manner legalized paper money, and discouraged the use of the precious metals by receiving and paying out the promises of local institutions as money. At the same time the specie that arrived in the country, not being made suitable to be readily used as money, was sold to brokers or deposited in banks, and their promises taken to use as money. Thus banks came to borrow and trade upon not only the revenues of the country, but the proceeds of individual industry.

When the confederation was formed to carry on the war and administer the government, the United Colonies were obliged to have recourse to the old system of bills of credit, which were issued, and the revenues collected under the direction of committees of Congress —the law recognizing no place for keeping the public money, nor any system of finance. The military chests of the army, the loan offices, and such temporary places as the committees, and subsequently the treasury officers chose to direct, constituted the Treasury. In 1789 the Bank of North America, chartered by Pennsylvania, as well as by Congress, was generally employed by the officers of the Treasury, but at their own option. The three banks of Massachusetts, New-York and Maryland were next used; and on the incorporation of the old United States Bank, in 1791, it also obtained part of the Treasury business. It was not, however, until 1809, that the law first indicated the depositories that should be used for the public money. A Congressional enactment then required that the disbursing officers should, "wherever practicable," keep their funds in some incorporated bank designated by the President. This law did not apply to the collections, which were kept in the banks by direction of the Secretary of the Treasury, under the power confided to him by acts of Congress, for supervising the finances and the doings of the subordinate officers of the Treasury. In 1811 the public funds were removed from the old United States Bank, on the approach of the period for the expiration of its charter, by Mr. Gallatin, who, without consulting Congress, or any other authority, proceeded of his own act to select other banks, and make his deposites with them. From that time up to the charter of the new United States Bank, in 1816, the custom and usage in respect to the keeping of the public money remained the same as it ever had been. The charter of the new bank provided that the public monies should be deposited in the institution and its branches, unless the Secretary of the Treasury should otherwise direct. That bank retained the public funds until October, 1833, when, as experience has since fully proved, it became necessary to remove them to places of greater safety, and state banks were selected by the Secretary of the Treasury, and made use of precisely in the manner adopted by Mr. Gallatin in 1811. This plan was pursued through one of the greatest commercial revulsions that the world ever saw; yet so vigilant, active and sagacious was the Secretary, that, amid the failure of banks, the ruin of merchants, and finally the insolvency of nine state governments, the finances of the federal Treasury remained undisturbed, and no loss was sustained by the government. When the whole currency of the country consisted of individual "shin-plasters" and depreciated bank promises, the large revenues of the government were collected and disbursed without loss and without confusion. The state of affairs, however, amply demonstrated, and the officer who had so skilfully preserved the credit of the government through surrounding ruin, urged the necessity of some distinct system of finance, and some mode of preventing the public funds from becoming the basis of speculations, the results of which were so disastrous. Accordingly, in July, 1840, a bill was approved, separating entirely the fiscal affairs of the government from the banks, and creating a "Treasury" for the first time.

The revenue and expenditure of the federal government, in usual years, very nearly equal each other. The receipts from all quarters in the year ending June 30, 1845, were $29,769,133, and the expenditures, including payments on account of the public debt, were $29,968,207, being an excess of expenditure equal to $199,074. This revenue, in round numbers thirty millions, is collected and disbursed over a territory of nearly two million square miles in extent. The officers of collection are located in twenty-seven differ-

ent states, each one of which has its own system of finance, its own revenues and expenditures, entirely irrespective and independent of the collections on account of the federal government within its own borders. With the exception of Massachusetts, New-York and Louisiana, the collections of the federal government in no state equal the amount collected by the government of that state. In the southern, south-western and western states, the expenditures of the federal government uniformly exceed its collections in those quarters. In all the New-England states, except Massachusetts, the expenditures of the federal government exceed its revenues collected in those states; but including Boston, the revenue received in New-England very nearly equals the whole expenditure: as thus, the customs of Boston usually furnish a sum which, after discharging all the government obligations due there, leaves a surplus equal to all the wants of the government in the other New-England states. In one year the revenues in the whole of the New-England states was $2,948,908; of this sum $2,590,572 was collected in Boston, and $1,572,800 was expended there; the balance, $1,017,772, was drawn against by the Secretary in favor of the other five New-England states, in which the whole expenditure was $1,347,200, and the revenue $368,336; consequently the balance, $978,864, was very nearly met by the $1,017,772 surplus that accrued from the customs at Boston. This, it will be observed, affords a complete operation for New-England. Boston is the common centre of business for that section, and all moneys and drafts flow to it from every quarter of the six states, and drafts on Boston are always desirable as a remittance thither. Therefore the operation of the Treasury comes eminently in aid of the current of business. The principal expenditure of the federal government in the interior of New-England is for pensions. Thus, out of the $1,347,200, stated above as the expenditure in five states, $815,000 was for pensions. Now the operation of the specie-clause of the Independent Treasury is to issue a draft to the public creditor in the interior of the state, payable in Boston, in gold, on presentation, and it must be presented in a reasonable time for transmission. The gold and silver having previously been collected at the government depository is paid to the pensioner on sight of his draft. He carries the gold to his home in the country and spends it in his neighborhood. It passes from hand to hand in circulation until paid into the hands of the shop-keeper; it is by him used in the payment of his note at the local bank, or sent to Boston, where it ultimately again passes from the importer's hands into the public vaults, to be repaid to the pensioner or other public creditor. In Boston the disbursements of the federal government are larger than in all the other states of New-England together. The circulation of the specie is therefore far more active; that is, it will pass with less delay from the Treasury to the creditor, from the latter into general circulation—more readily again accumulate as the deposites of merchants in banks, whence it will again be transferred to the Treasury. What Boston is to the New-England states is New-York to the rest of the Union. The collections in New-York, for the same year as that for which the figures are given for New-England, were $9,021,491, and the expenditure $3,649,600, leaving a surplus of $5,371,891 to be expended in western and southern states. In all the states of the Union, south of New-England, and exclusive of New-York, the collections were $8,654,368, and the expenditure $14,724,600, leaving $6,070,282 to be met by drafts on the surplus accumulating in New-York. These were to be drawn in favor of every state of the Union and almost every section of every state, in payment of construction of forts, army and navy expenditures, salaries of officers, pensions, &c. The payments from all quarters fall due as fast as the revenue is collected. The amount of duties on a cargo arrived at New-York scarcely comes into possession of the receiver-general before a Treasury draft reaches him, ordering the payment of all, or a portion of it, to some pensioner in Illinois or other state. The gold drawn from bank vaults on the check of the importer is by the order of the Treasurer put into the hands of the public creditor, whence it passes into circulation, performing those legitimate functions which were pre-

viously usurped by paper promises. This operation does not increase the volume of the currency nor in any way affect prices; it merely distributes the constitutional currency into the hands of all classes of society; the farmer, as well as the mechanic and merchant, enjoys a portion of the national wealth which his industry has earned. These drafts of the government run upon New-York at the rate of six to seven millions of dollars per annum, and to that extent come in aid of the exchanges of the country. When promptly presented and paid they are eminently useful, because a balance due to the country from the city is actually settled and discharged. If, however, they were allowed to float for a length of time in circulation and accumulate as an indebtedness against the city, it would involve a great accumulation of deposites against which they are drawn, and consequently a diminution of money in circulation at the great centre of business; and when that diminution caused too severe a pressure, the mass of paper would at once be precipitated upon the market. This describes pretty nearly the general operation of the federal finances. It will be observed, that although New-York is the commercial centre for the whole Union, yet New-Orleans, Charleston and St. Louis, are also centres each for large circles of business, and each is the focus of the money transactions for its respective locality. The law approved in 1840 simply provided that the Treasury building at Washington should be, as its name purports, constituted the Treasury of the United States, and that the public money should be kept in its vaults. It also provided, that the mint at Philadelphia, the branch at New-Orleans, the new custom houses in New-York and Boston, should contain the branch Treasury vaults of the United States, and that rooms and vaults should be prepared at Charleston, S. C., and St. Louis, Missouri, and also contain the government money collected in those localities. These formed seven Treasuries for depositing the public money, viz: Washington as a common centre, communicating with Boston, New-York, Philadelphia, Charleston, New-Orleans and St. Louis as branches. The Treasurer of the United States at Washington, and the Treasurers of the mints at Philadelphia and New-Orleans were appointed "receivers general" to keep the public money, and their salaries increased $500 each for the performance of this additional duty. A receiver-general was appointed at New-York with a salary of $4,000 per annum, and one at St. Louis, one at Boston, and one at Charleston, each with a salary of $2,500; all of these give ample bonds for the faithful discharge of their duties. This is the whole machinery of the Independent Treasury. In its operation it requires that all existing collectors and receivers of the public money shall pay over, as often as directed, to the "receiver-general" in their neighborhood, the public money in their possession. The receiver is to keep a separate account of the post office money, which is controlled by the Postmaster-General; all the other funds can be transferred from one depository to another, or paid out in the public service on the direction of the Secretary of the Treasury. It is to be remarked, that the surplus collections are fortunately at those points as above described, on which a bill is always at a premium. The public creditor, therefore, derives an advantage from getting a Treasury warrant on New-York. The law requires, however, that this warrant be promptly presented for payment; otherwise the Secretary may change the place of payment. This law also provided for the gradual collection of the government revenue in specie exclusively, viz: an increase of one-quarter the amount, to be paid in specie each successive year until the whole was collected in specie.

This was the law of 1840, and while in operation, worked admirably as far as its provisions were carried out. A powerful bank influence, however, succeeded through a change in government in procuring its repeal in August, 1841, when it had been in force one year and one month, and before sufficient time had been allowed to perfect its details. No substitute was provided, but the old expedient of local banks was resorted to, and instead of the plain and simple movement of the government officers placing the funds in depositories at convenient points, subject to the drafts of the Secretary, fifty-six banks, dispersed all over the country, were selected, and the money loaned to them *without interest*. It is obvious that the

public deposites are of but little service to the banks unless there remains some surplus for them to use for their own purposes. The floating debt of the government, consisting of Treasury notes payable within the year, were funded in a stock payable in twenty years, and the means, which should have been applied to their discharge, remained in the banks without interest. Thus the fifty-six banks have held an average of $11,000,000 of public money for three years free of interest, while the government has been paying six per cent., amounting to $660,000 per annum, on an equal amount borrowed by it of the public. Nor is this by any means the greatest evil of the system. It gives to each deposite bank a control of all the others in its neighborhood, by which means it not only has more money to loan itself, but it compels others to contract their loans. There are in New-York city twenty-four banks where merchants and importers keep their accounts.—Of these, seven institutions only are favored with the public money, and one of the seven receives all for the month. The duties in the month of March amounted to $2,600,000 for the port of New-York. This constituted the amount paid into one government bank by all the others. The balance in favor of that bank was therefore large, and those balances being rigorously demanded in specie, necessarily compelled the debtor banks to loan cautiously, while it enabled the government institution to lend freely, taking advantage of the improved value of money that its own act, operating through the other banks, had created. It is obvious that under such circumstances the institution would naturally be anxious to use the funds at its disposal, to the best advantage. As the money may be called for at any time, stock loans afford the readiest means of employing the funds profitably, and, at the same time, having them at command when called for. A law of New-York state requires these institutions to make quarterly returns of their affairs, and to state in the returns the amount of stock loans, with a view to check them. The banks, however, take the stock as security, and a note payable on demand, which note is counted as *cash on hand*. Millions of money are loaned in this way to gamblers, and reported to the comptroller as *cash* on hand.

The general result, therefore, is that, under a "specie clause," as enforced by banks, the funds are withdrawn from commercial paper and loaned to stock speculators. The evils resulting from this mode of disposing of the public funds, have become too evident of late, and the Independent Treasury bill has been revived, and passed the House of Representatives by a large majority, in accordance with the demands of the people, as expressed at the last Presidential election. The bill is, in all respects, similar to that of 1840, as above described, with the exception that it is to go into operation June 30, 1846, and requires all the dues to be paid in specie at that time; but the payments of the government are not required to be in specie until October 1, 1846, three months later. This provision is to afford time for the disbursement of the surplus $11,000,000, now in the banks in such funds as they may wish to pay out. Thereafter all the receipts and expenditures of the government are to be in specie exclusively. This provision is very obnoxious to the banks, which do not wish to lose the deposites that they have so long profitably enjoyed; and it appears to be regarded with vague fears by other parties, who have less faith in the immutable laws of trade than in the sagacity of corporations. These fears seem also to have influenced the Senate Committee of Finance, and they have announced their intention to report the bill that came from the House, so amended as to postpone the specie clause until Jan., 1847, in order, as stated, to allow time for the banks and the commercial community to prepare for the specie payments; and as a reason for the supposed necessity of this measure, it was stated very correctly, that the present expansion of the banks had turned exchanges in favor of England, and the specie is going abroad; this being an undoubted fact, and proving that the institutions *have not* prepared for the action of the Independent Treasury bill, although in constant expectation of its passage during the past four months, it is certainly a most singular argument to put forth, why six months longer time should be granted, during which, with the vast

power they wield, the most pernicious influences may be exerted to procure a farther postponement at the meeting of the next Congress. It was further stated, that prior to the consideration of the Independent Treasury bill, bills to establish a uniform warehousing system, and branch mints in New-York and Charleston, S. C., would be disposed of. These are doubtless measures of first necessity, not to "regulate" trade or the currency, but to remove obstructions in the way of the freest individual enterprise and the circulation of the constitutional currency; but when they are alleged to be "remedial measures" in their relation to the action of the Independent Treasury, their necessity is by no means so clear.

The carrying trade of the United States has, through the action of high cash duties, payable on the importation of foreign goods, and the delays and deductions from debentures, been entirely unable to compete with the perfect facility that the carrying trade of the world has enjoyed in freedom of the English warehouses. The carrying trade of the United States was once 150 per cent. of the direct, but with the cessation of the wars of Europe, the removal of restrictions and increased facilities to trade, afforded by Great Britain and other countries of Europe, the United States have lost it almost altogether, and with it a large market for domestic products; not because they had less ships, men or skill, but because the revenue laws have been adverse to its prosperity. A uniform system of warehouses, by which large and complete supplies of untaxed goods will, in connection with those of domestic origin, afford the means of making up assorted cargoes on the best terms, must go far to restore to the shipping of the United States the trade of the American continent. It will also relieve commercial capital from the tax under which it now labors, of being obliged to advance to government the duties on imported goods. Those duties are designed to be paid by the consumers, and the merchant reimburses himself from his sales to them. An average of three months elapses, usually, between the import and sales for consumption. If, therefore, the duties are not paid until taken out of warehouse for consumption, commercial capital will be relieved from a tax without imposing any additional burden upon the consumer. It does not appear, however, that these facilities, prior to the payment of the duty will, in any degree, change the nature of the transaction when the duties come actually to be paid. The operation of the Mints in New-York and Charleston cannot materially facilitate the collection of the revenues, but are certainly necessary to convert the collected specie into a shape that will pass from the Treasury freely into general circulation. We have, in the first part of this article, alluded to the necessity of a mint at the place of import, in order to fix a circulating stamp upon the precious metals as they arrive. As New-York is the point at which two-thirds of the receipts from abroad arrive, it is, of course, the spot where the mint is required. The importation of the precious metals is effected by merchants and private bankers. These are now in the habit of depositing specie with the banks of New-York, where it remains until adverse exchanges require it to go abroad. The largest portion of it consists of the light gold coins of England, and will not circulate here. The banks pay out their promises, and these circulate instead of it. No one will go to the expense and trouble of sending it to Philadelphia for coinage, and there is no demand for it to export; for which purpose it is worth 1½ per cent. more than if it was in American coins, because it is not a legal tender in England, unless in English coins of full weight. The United States laws make all gold and silver coins a legal tender, at certain rates fixed by law. If, now, a mint is located here, it would, from its convenience, become probably the common depository for all the precious metals that arrive, and the mint-receipts be deposited with the banks on account of the owners; all the specie would thus in fact be in the Treasury of the United States, and the payment of duties would simply amount to a transfer of so much coin, *already in the* Treasury, from the account of a bank or importer, to that of the government; and when the latter paid out the money it would be in the shape of American coin, which would circulate freely, and soon displace that pestilent depreciated Spanish coin that has so long remained in the smaller channels of circulation. It is also the case that very large sums of

foreign coin, probably $2,000,000 per annum, arrive here in the pockets of emigrants. These find it impossible to pass the money, and they resort to the tender mercies of bullion brokers. The mint will afford a ready receptacle for all these in exchange for United States coin of full value. So far from the operation of the Independent Treasury being of a nature to diminish the volume of the currency, it will rather have a tendency to give stability and activity to it; and increased activity of circulation is always equivalent to increased quantity. The fact that the Treasury will demand specie for its dues, of itself gives an additional *value* to the specie, and therefore promotes its influx from abroad. The co-operation of the mint, in changing its form on arrival, helps to keep it in the country, because it makes it less valuable to export by 1½ per cent. So far, then, the banks and paper credits are benefited by it. It was to effect this object that the gold bill of 1834 was enacted. Previous to that time the proportion of gold to silver in the coinage was as 15 to 1, which was too low, and the effect of it was to carry the gold to Europe. In 1834, and finally in 1837, the proportion 16 to 1 was adopted. By this change the gold eagle was reduced from a weight of 270 grains of gold, 917 thousandths fine, to 258 grains, 900 thousandths fine, and the silver dollar was reduced from a weight of 416 grains to 412½ grains, by putting in 3½ grains less copper, the quantity of silver remaining as before; by this means it was supposed, that the metals being more valuable here as money, would circulate rather than be exported. It is very obvious, however, that this change would effect nothing, unless the coinage took place. For that purpose the mint should be at the point of import. The location of a mint here, as a Treasury, where specie is demanded for government dues, will give effect to that law and nationality to our coinage.

The supposition that a regular demand for coin by the government will embarrass trade more than a foreign demand, which carries coin out of the country, seems not to be entirely reasonable. The chairman of the finance committee gave as a reason for the postponement of the specie clause to January, 1847, that the banks were in a very expanded state. This is true. Now if we turn to the report of the Secretary of the Treasury, we find that the export of the precious metals for the year 1845 was $8,607,495; of this, near four millions went to England, and three millions to France; all of it taken out of bank vaults, and left the country entirely—most of it from New-York. Since that report, further large amounts have gone, and yet it is alledged that the banks continue so extended, notwithstanding that export, that they cannot allow specie to pass *through* the Treasury into circulation, without leaving the country! Such a pretence has certainly no ground for it but the desire to frustrate the establishment of an Independent Treasury. Had that Treasury been in operation, it is more than likely that the export would not have taken place. The proportion which the Treasury operations bear to the money transactions of the whole country, are prodigiously overrated in public estimation; compared with present business they are altogether insignificant, and are daily becoming more so. In order to show the proportion which the Treasury operations bear to the general business, it may be useful to compare the present year with 1800, and to do so we compile the following tables from the Treasury Reports:—

| | Population. | Imports and Exports. | Specie in the country. | U. S. Revenue. |
|---|---|---|---|---|
| 1800 | 5,305,925 | 83,962,794 | 12,000,000 | 12,280,000 |
| 1845 | 20,000,000 | 231,900,564 | 150,000,000 | 29,769,133 |
| Increase | 14,694,075 | 147,937,770 | 138,000,000 | 17,489,133 |

In 1800 the revenue for the year was equal to the whole estimated specie in the country, and from that time the amount of specie has increased by importation mostly, until it amounts to five times the annual revenue, which was then two dollars and a half of the population, and is now one dollar and a half of the population. The great increase of the internal trade of the country is indicated in the fact, that the produce sent to New-Orleans in 1800 was valued at $2,035,789, and last year at $60,940,000. The internal trade of New-York, which then did not exist, amounted on the canal alone last year

to $90,000,000, being an increase in two items of $148,000,000. These facts indicate how small and decreasing an influence the federal finances have upon the course of trade and the operations of commerce, and afford some idea of the exaggerated anticipations of the evil influence of the Independent Treasury upon the banking movement.

The vast and increasing business of the whole Union is performed through the agency of individual bills, drawn against produce and merchandize actually transported to represent and meet the bill. The amount of exchangeable values annually produced in the Union, according to data founded on the United States census for 1840, is $1,063,134,736. Of this large sum about one-half is agricultural products, one-fourth manufactures, and the remainder mining, fisheries, commerce, &c. These give rise to an amount of individual paper at least equal to the sum of the productions. In many of the branches of trade, three or four bills represent the same transaction. As, for instance, there is annually exported from the United States $60,000,000 worth of cotton. There is drawn against this an equal sum of foreign exchange. This exchange is sent to New-York and sold, the proceeds being drawn against by 60 day internal bills in favor of the southern shippers. The cotton, when sold in southern ports, is drawn against frequently in favor of the planter. In addition, some $30,000,000 of other produce descends the Mississippi, and give rise to other sets of bills. The Erie Canal delivers at tide water some $70,000,000 worth of farm produce, which is all drawn against, and that which is exported furnishes double sets of bills. All the manufactures of the Atlantic states, and the imported goods, give rise to several sets of individual notes, as the merchandize passes through the hands of successive dealers. In view of all these circumstances, it is an under estimate to put the bill transactions at $1,600,000,000 for the year, or $400,000,000 per quarter; a very large portion of this centres in New-York city, where the bank loans only, reach $45,000,000, which, at an average of three months, make annually $180,000,000; redemptions of country bank notes reach probably $50,000,000; all the money transactions cannot fall short of $300,000,000; of this amount the federal government collects fifteen millions. There probably runs on New-York exchange from all quarters of the Union, to the extent of at least $200,000,000, in the course of a year, against produce and sterling bills sold; of this mass the federal government requires to draw in its own transactions, as we have seen above, $5,000,000, or two and a half per cent. of the whole business. Out of money and bill transactions, which cannot amount to less than 1,500 millions per annum, the government is to receive and pay out thirty millions, making sixty millions of payments and receipts, or four per cent. of the whole, and yet these transactions are looked upon as fraught with ruin to the country! Among 200 millions of bills running upon New-York, the Secretary of the Treasury pays out five millions to the public creditor. The latter may dispose of the Treasury warrant to any one else for what money he pleases as a sight draft on New-York, which must speedily be presented and paid in specie. As, for instance, a person in Cincinnati may receive a Treasury warrant on New-York for, say, $1,000. It will be worth one-quarter per cent. premium to a person owing money in New-York. He buys and transmits it to a merchant, who presents it at the Treasury in New-York, and receives one hundred gold eagles. These he may pay out or deposite in a bank, or do what he pleases with them; and the bill is cancelled. There is nothing in the transaction that can in any way derange business. Again, an emigrant or other person going west to buy public land, is empowered by the 16th section to deposite his gold in the Treasury in New-York and receive a certificate of deposite, which will be received at the western land offices in payment of public land. The Secretary of the Treasury is also empowered to transfer the public monies from one depository to another, and to draw freely upon each or all, but he can do so only on an appropriation made by Congress, and a warrant having the signatures of all the officers. As an example of the checks imposed upon the drawing of money from the public depositories, we annex a form of the warrant that has been used for some time.

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WARRANT.
TREASURY.

No. 105.

"APPROPRIATION For compensation of Dist. Att'ys and Marshals."

$50.

TREASURY DEPARTMENT.

To J—— C——, Treasurer of the United States.
GREETING—

Pay A. B., Marshal of the District of ———, or order, out of the appropriation named in the margin, Fifty Dollars, on account of his salary for the quarter ending 30th Sept., 18—, agreeably to a certificate of the Comptroller of the Treasury, No. 2012. Dated Oct. 1st, 18—. Recorded by the Register. For so doing this shall be your warrant.

Given under my hand and seal of the Treasury, this 1st day of October, in the year one thousand eight hundred and forty- and of the Independence the sixty-

L. S.
Treas. Depos.

B—— C——,
*Secretary of the Treasury.*

Countersigned, JOS. ANDERSON, *Comptroller.*

Recorded, T. L. SMITH, *Register.*

The cashier of the Bank of ——— will pay the above warrant agreeably to its tenor. J—— C——, *Treas. U. S.*

Received payment of the above warrant from the cashier of the Bank of C. D. A—— B——, *Marshal of Dist. of* ———.

Here are the signatures of four officers, each of whom takes cognizance of the transaction; but singularly enough, although all gave their orders, neither of them had the money to pay. He who by law is the Treasurer, and should have the money, gives an order on a bank to which the money was loaned; and in some cases these warrants have been dishonored, because the banks had lost the money loaned them and could not pay the amount. When the public creditor goes to the Treasurer for his money, he gets another order on an incorporated bank—a shadowy constructive Treasury, which does not pay the money, but gives some promises to pay it—promises, which cost it nothing, and which do not bear interest. The Independent Treasury puts an end to that proceeding. The warrant coming to the Treasurer of the United States "greeting," requires him to hand over 5 gold eagles, instead of a demand on some other party, who pays in promises. This great evil of allowing banks to retain the public money, and meeting the government demands in one set of promises, lending a similar set to speculators, and another to their customers, and all three based on the sum equal to one set that the Treasury loans them, has drawn forth the denunciations of all parties, except those who profit by it. The government of England, which 150 years since commenced this credit system, have now also sought to remedy it. The law lately passed, re-chartering the bank of England, took from it, as well as from all other banks in Great Britain, the power to multiply the currency. The leading bank of the world, in the centre of the commerce of Great Britain, can now issue no more paper than she has the gold on hand to represent. The government of the United States unhappily, although empowered by Congress to coin money, and regulate the value thereof, has in a manner recognized in state governments the right of chartering corporations to issue paper as a currency, and has not attempted to control those issues. The manifest evils that have resulted from the system, now establish the importance of checking those issues so far as the withdrawal of the patronage of the government will effect it. The successful working of the new Treasury law, supported by the operations of the mint in New-York city, will clear the way to the establishment of an Independent Treasury for New-York state, and we trust, eventually, for every state in the Union.

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## ADMINISTRATION OF INDIAN AFFAIRS.*

As we go on in the progress and development of our nationality, the subject of the management of our Indian affairs becomes one of increasing interest in an administrative point of view, so far, at least, as relates to the execution of the laws passed by Congress, from time to time, for their benefit. But as time and experience give stability to the government, and the proper territory of its action is enlarged and extended, it becomes a more important question, whether the character of the people and nation, are not more immediately responsible, not only for the due execution of the laws touching this peculiar people, but for the right influence exerted, or omitted to be exerted, for the production of the best laws of which the subject admits, to further their well-being and advance in the scale of civilization. The laws passed to carry into effect treaty provisions with these tribes are, from the nature of the case, casual and specific. The duty of preserving peace on the frontiers, and at the same time of guarding the native territories from illicit trade and the inroads of lawless dealers in contraband articles, is by no means an unimportant one. Both branches of duties impose upon the Executive an amount of administrative responsibility, which requires a class of agents, who stand as his representatives upon the frontiers, having delicate and arduous tasks to perform.

In proportion as the Indian territories have been narrowed down by cessions, and the waste and unoccupied lands of roving bands of hunters converted into annuities, these duties of the frontier agents have accumulated, together with their responsibilities, and with the requirement of the service for better talent and more energy for these executive stations. While the tribes remained mere hunters, and had no other thought but temporary benefits and personal gratifications, the simple dividing of the annuities in dollars or goods, or the employment of a few mechanics, answered every purpose of their chiefs and warriors. But as they gained knowledge and experience, numbers of the tribes began to set apart funds for education and for agricultural instruction, and other objects.

To manage this branch of the administrative duties, a separate Bureau became necessary some 20 or 25 years ago, which is, we believe, under the supervision of the War Department. It is the practice of the head of this Bureau, annually, in the autumn of the year, to submit a report to the proper department, embracing an outline of the current business and negotiations of the office during the year, supported by letters, statements and documents, from the superintendents, agents and sub-agents. These reports contain also fiscal tables, showing the amount of annuities paid, the amount of Indian funds vested in stocks for their benefit, estimates of population, and other data, which render them more or less interesting and valuable. The design of such reports is to show the manner in which the laws have been executed, and to embody the leading points of interest for general information.

We have availed ourselves of the last printed of these annual reports, as the basis of these remarks, without intending, however, to examine its details with much minuteness. It must be evident that a system of laws and management, which has been so essentially one of expedients, from session to session—often the result of hasty legislation, and often the result of no legislation at all, must be, to some extent, incongruous, and susceptible of generalization and improvement. Defects in the system have been frequently mentioned in our hearing; and the question has often been put, how are these defects, admit-

* Annual Report of the Commissioners of Indian Affairs, transmitted with the President's Message, at the opening of the 1st session of the 29th Congress. Washington: T. Barnard. 1846.

Notes on the Iroquois, or Contributions to the Statistics, Aboriginal History, Antiquities and General Ethnology of Western New-York. By Henry R. Schoolcraft. New-York: Bartlett & Welford. 1846.

ting their existence, to be remedied? It requires care to alter or amend a system, ill-concocted as it may be, which has been the slow growth of years, and has been sanctioned by time, by habit, and by old associations. The spirit of change and innovation is not always the spirit of improvement. If hasty or short-sighted legislation has added to the code of Indian laws, if they may be dignified by this title, is hasty legislation the best relief? If "regulations" to carry into effect laws, in themselves just, have been drawn up by men ignorant of the very geography of the country, the character of the tribes, and the best times, modes and means of executing them, are new regulations to be drawn up, by men not a whit better situated to mend the defects? It is better, we apprehend, in all these cases, and most consonant to the dictates of wisdom, to begin by careful inquiry and examination; rather submitting, for the time being, to some confessed evils, than by haste or violence in action, to run the hazard of still greater ones.

We owe to these tribes the duties which are imposed on us by our higher civilization. They occupied the continent on the arrival of our ancestors, whom they received with kindness. The transactions of two or three centuries have made the territory they once owned ours. Obeying the natural law of progress, industry and virtue, we have advanced as rapidly as they have declined. Some of the seaboard tribes and clans have entirely disappeared. Others have transferred their residences by voluntary emigration west of the Alleghanies and the Mississippi river. But a very large proportion of the whole number of the United States Indians *still exist*, and our relations with them have in no wise altered, except that we have augmented in numbers and power, while they have declined. If the document which we have before us be correct, there are still 179,129 Indians living within the boundaries of the Union, who are divided into 56 nations and tribes, and fragments of tribes. The same authority tells us that Congress appropriated for the last year, to preserve our intercourse and fulfil treaty stipulations with these tribes, $1,039,140 11; that they have funds invested in state stocks, for education and other purposes, amounting to $2,140,591 32: that the amount of interest appropriated to pay ten of these tribes is $171,005; that there is a permanent annual civilization fund of $10,000, under the discretionary patronage of the department; and that the aggregate sum set apart annually by the several tribes for educational purposes, is $62,360. These are large sums, and if faithfully and effectively applied, should tell well on their prosperity and general advance—better, we are free to confess, than they appear to have done, if we are to judge by the various sub-reports of the superintendents, agents, sub-agents, teachers, mechanics and missionaries. Not less than 83 of these sub-reports accompany the Commissioner's Annual Report to the Secretary of War, embracing nearly, or quite all, the Indian communities situated between the village of "Mohegan," in the state of Connecticut, and the Oregon territory.

So far as these reports bear on the operation of the intercourse laws, they either reveal defects, which, if well appreciated, it would seem desirable to remove, or evince a state of misery and degradation which ought to be provided against.

Report No. 2, from the present able governor of Wisconsin, says: "The Winnebagoes are, at this time, a most degraded race of Indians. Their intercourse with the whites has made them reckless and profligate in their habits, and apparently abandoned in their principles." Of the same tribe the governor of Iowa says: "I regret to have to repeat, that they are the most drunken, worthless and degraded tribe, of which I have any knowledge. They have heretofore wasted their annuity provisions in a very short time after receiving them, and the large sum paid them annually in money passes almost immediately into the hands of the traders." With regard to the laws, the same officer expresses the opinion, "that our system of 'trade and intercourse' with the Indian tribes, in this region, is rapidly destroying them, and I repeat, that they are the victims of fraud and intemperance, superinduced by the large sums of money paid them annually by the government, without proper guards to protect them against the su-

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perior cunning and avarice of unprincipled white men."

The agent of the Sacs and Foxes, (No. 6,) says: "The chief evil appears to result to the Indians from the impositions practised upon them, and the advantages taken of their ignorance and necessities." * * * "With every feeling of the most profound respect for those who hold, as I believe, at least a partial remedy in their hands, a stern conviction of duty impels me to say, that, until our legislators awaken to the voice of justice, of humanity, and of oppressed virtue, which now so loudly calls on them, even hope, that principle which will excite exertion often under the most cheerless prospects, seems utterly vain."

The agent of the Sioux, (No. 8,) remarks: "Were it not for the facility the Sioux now possess to obtain whiskey, their situation, compared with that of the adjoining tribes, would be enviable; but, like all the same race, the greater portion of the Sioux race are much addicted to liquor, and there is no hope that it will not, in the end, lead to their destruction."

Of the Menomonees, the governor of Wisconsin observes: "They are now, from their long intercourse with the whites, a most degraded race of people."

We might fill pages with similar extracts from the reports of the *southern*, as well as *northern* agents,* but these may suffice to show that there is a general opinion that some changes and amendments of the present system are called for. What they should be, is a question of equal importance and delicacy. It is not fitting that the subject should slumber. Congress, and its committees on Indian Affairs, have doubtless, to some extent, a remedy in their hands. Laws which are inoperative to enforce the act respecting ardent spirits, &c., may be amended. So in relation to the annuity payments, and to various other topics. But if we have scanned the report before us to any purpose, it deals rather in pointing out evils than suggesting remedies. Thought and attention are required to elicit these remedies. To plan is the first step to efficient action.

To adopt a high and generous system of Indian management and laws, is due to the character of a moral and intellectual people. Let it be a policy worthy of the descendants of those who, in 1776, perilled their lives for freedom and the assertion of human rights. Above all, let us be careful so to apply the means of the tribes themselves, as to produce the highest and best results on their advancement in the scale of civilization; to shield them from wrong or oppression, from any source; to preserve the integrity of their territories, as defined and fixed by treaties; to tranquilize them in the positions to which they have migrated; and to keep from them that tide of liquid poison, which, under the name of ardent spirits, has so long and so ruthlessly poured its destroying influence upon them.

In reflecting on this subject, we think a system of inquiries among the tribes and their agents, and the accumulating of a body of exact and truthful statistics, somewhat on the plan recently adopted by the legislature of New-York, could not fail to place Congress in a better position for definite action in relation to changes in the intercourse laws than it now occupies. The report of Mr. Schoolcraft, under the head of "Notes on the Iroquois," which has been sought with avidity, communicates the result of this effort. The state at first proposed, simply to include this ancient stock of aboriginal men in its decennial census for 1845, and provided that separate agents, acting as marshals, should be appointed to take it. This duty having been concentrated in the hands of Mr. S., the instructions were, at his instance, extended so as to embrace other topics in their past and present history. It was known that a peculiar degree of interest had been attached to the discovery of numerous antique implements of art and warfare in that part of the Union, in connexion with the remains of fortifications and extensive cemeteries. The tribes had acquired a high and wide-spread celebrity in their confederated character, which made them, during all the epoch of the colonies, the principal native power to be consulted.

It is true, that few of the native stocks of the continent, north of Mexico, admit of an equal degree of historical interest being thrown around their census, should Congress adopt a general

* One of the former, No. 16,) recommends the suspension of the intercourse laws altogether, since "the effect of the present laws is to introduce, by stealth, liquors of a *bad* quality, and at exorbitant prices. This would be something like cutting the patient's throat for fear he should die of a quinsy.

system. Yet there are none of the principal tribes west of the Alleghanies, respecting whom we are not in eminent want of exact knowledge respecting their actual, not *computed numbers*,*—their position, means of subsistence, laws of increase and decline, and other points in their economical resources, national character and vital statistics. A full and complete census of the western Indians is quite a desideratum. The subject commends itself to legislative consideration in many aspects, and we know of no measure which, if committed to right hands and well carried out, would offer a more fruitful result to guide the legislator and the philanthropist.

That we should have maintained a national intercourse with the Aboriginal tribes for *seventy years*, dating from the declaration of independence, without having authorized or taken a census of their actual numbers and statistics, would hardly have been conjectured, had the fact not been stated by the author of the "Notes," (p. 5.)—The utility of such an inquiry, and its pertinence in the government and management of their affairs, are very obvious; and if we are to judge of its general expediency from the interest and value of the results here stated, the measure cannot fail to recommend itself for future adoption.

* The Blackfeet are put down in the Commissioner's Report to Congress, for 1845, at 13,000, the Paegans, called Pagans, at 30,000. These are but different names for the very same people, who are also called, sometimes, Blood-Indians.

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## CROMWELL AND HIS TIMES.*

Ah! it is a difficult thing to write adequate history, and biography is still worse; the author that succeeds in either *walks the extended rope*. There has been too much in modern literature of what may be called the *pendulum writing*; that is, a constant resiliency, both in matter and manner, from one extreme to the other. We see it exemplified among the poets. Shakspeare was the impartial painter of nature, because his bounding mind was under the re-action of no previously existing model. But Dryden evidently wrote under the counter-influence of the prior age. Pope carried the same school to a higher point of polished uniformity. Wordsworth and the whole Lake school seemed studiously to avoid the marble coldness, the artificial correctness, the imitated imitations which had for nearly a century ratified the critical decrees, but repelled the hearts of most of the reading world. Wordsworth has been called the restorer of poetry to the feelings of nature. He is markedly natural—dreadfully natural; elaborately easy and artificially simple, he reminds us of some young ladies, who, being emancipated from the formal manners of their grandmothers, are so excessively ingenious and *naiveté*, that we almost hate Nature herself for her resemblance to such mistaken exaggerations. Who does not see that Crabbe, though called by Byron *nature's sternest painter, yet the best*,—is always darkening his pictures, overshadowing life with a rustic gloom, in order to avoid the romantic fictions of the pastoral writers? Thus does the pendulum of taste vibrate; and thus, satiated by often imitated excellence, we have recourse to a worse style of writing to find a pleasing but short relief.

Mr. Carlyle, in his remarkable style, seems to us to be actuated by the pendulum principle. Undoubtedly he is an original. In a late age of literature he has formed a manner of his own. He is determined not to write like Hume or Robertson. The old cumbersome structure, with its measured cadence and perpetually returning rhythmus, he seems determined to cast off; but its power over him is almost as great as ever it was over its most servile imitators. He always remembers it, to shape the contrast and to avoid the affinity. He is a bird whose flight is never to the zenith, but always in an

* The Letters and Speeches of Oliver Cromwell. By Thomas Carlyle. In 2 volumes. New-York: Wiley & Putnam.

History of the English Revoltion of 1640, commonly called the Great Rebellion, from the accession of Charles I. to his death. By F. Guizot, the Prime Minister of France; author of "The History of Civilization in Europe," &c. &c. Translated by William Hazlitt. New-York: Appleton & Co. 1846.

*opposite* direction. We remember that one of the Edinburgh Reviewers boasted, some thirty years ago, his absolute control over the opinions of certain conservatives in England. Our journal, said the writers, controls our enemies completely; whatever *we* say they are sure to affirm the opposite. So Mr. Carlyle is repelled from the rhetorical style as far as possible. And then his license in coining words and importing structures from the German language! If Cassius' rule be just, that we should avoid a new word as a covered rock,—our author suffers shipwreck in every page. Yet surely he is not without his merits; as far as we can be justified by his example, we shall be emancipated from certain disagreeable chains which purists and lexicographers a few years ago were attempting to cast over us.

We remember, about the time that Mr. Pickering published his vocabulary, attempts were made to narrow down the powers of the English language; to stop the tide of innovation; and to lay down a law that we must use no word, no, not even a derivative, which was not found in Johnson. We always thought the law was an unconstitutional one, and we were strongly tempted to embrace the doctrine of a literary nullification. We thought that old Johnson himself afforded us some license. "Words," says that sullen dictator, in the preface to his dictionary, "arbitrarily formed by a constant and settled analogy, like diminutive adjectives, in *ish*, as *greenish*, blueish; adverbs, in *ly*, as *dully*, *openly*; substantives, in *ness*, as *vileness*, *faultiness*, were less diligently sought, and sometimes have been omitted, when I had no authority that invited me to insert them; not that they are not genuine and regular offsprings of English roots, but because their relations to the primitive being always the same, their signification cannot be mistaken." Surely here is liberty enough in the statute book itself, to clear half the offenders that have ever been arraigned. In those prim days very much was said about Americanisms, the liberties which we lawless republicans took with the king's English; so that a man could scarcely write an advertisement, or pen a paragraph for a newspaper, without the terrors of a conventional outlawry hanging over him. He might use some word not sanctioned by British authority. If Joel Barlow used the expression *conflagrated brand*, or Dr. Dwight talked about a *freshet*; or a militia man went to a *training*; or a Boston gentleman ordered his horse to be *tackled* in order to attend a *caucus*; or a preacher put an *improvement* to his sermon, or endeavored to *solemnize* the minds of his audience; or a lawyer *advocated* a cause; all was naught, in his language, because he was falling into Americanisms. Blessed age of our own! No Americanisms, or any other *isms*, are possible now. If the British public reproach us, we hold up the volumes of Thomas Carlyle, a true native of the trilateral island, and say, Gentlemen, what sort of a language is this? Who made his grammar, and where did he find his dictionary? Who imposed his idioms, and who—always—can find his meaning? Let his authority prevail, and our license is unbounded. We may for ever go on enlarging our language, with no prescription to stop us, and no written record which we are bound to deny.

We thank, then, our sublime author for this liberty; and though we shall never be disposed or be able to use half the license he affords us, we hope that his brilliant example will bring this petty criticism for ever to an end. The truth is, no written dictionary ever was complete.

The same pendulum power pervades the mental efforts of Mr. Carlyle. He not only writes, but he speculates under the influence of reaction. If a painter should place trembling decrepitude and hoary age before him, when he wished to form the sweetest combinations of youth and beauty, and say that he caught their lineaments best by making his picture whatever his pattern *was not*, he would exactly resemble our author in writing history. He hardly mentions Hume, and yet he seems to us to be always under the power of his repulsion. There never was a writer whose moral affinities were less to his subject than were Hume's, when, beginning his history,* he selected the age of the Stuarts as his chosen theme.

* It is well known that Hume's History of England was not written in the consecutive order. He began with the house of Stuart, which is the far most elaborate and best written of his volumes. The rest was a supplemental task, where his genius covered over his negligence with bright but fading flowers.

We can hardly imagine what drew his attention thitherward; what demon put the subject into his head. If some pedagogue had forced the business upon him as a punishment, we could have understood it. But of all the jarring elements ever brought together in a volcano of moral or natural discord, we can think of nothing more uncongenial and strange. Think of John Wilkes holding a candle at a conventicle; think of John Bunyan writing a comedy; think of Dixon Lewis, the distinguished Senator from Alabama, going up in a balloon; think of Silas Wright losing his temper, or John Quincy Adams commanding his; think of whatever wonders you please, and you can imagine nothing more wonderful than the cold, metaphysical, dry, anti-enthusiastic and anti-moral mind of Hume, brought into contact with the glowing furnace of the English Revolution, from 1604 to 1648. With all his penetration he could not understand his subject, and what is worse, no increase of intellectual penetration could lead him to the predominating idea. He was like one of those peculiar persons incapable of discriminating colors, brought to contemplate the glowing east or the glowing west; or one of those early afternoon rainbows, which sometimes pass from one to the other, spanning and outglowing them both.

Yet in some of the requisites of a historian Hume was unrivalled. A simple, yet elegant style, and masterly power of insinuation; an adroit painter of character, and wonderful skill in seizing characteristic events; an elasticity that never tires, and a judgment always consistent with its own first postulates; easy, concise, flowery and graphic, he wanted nothing but a heart. We are the creatures of feeling, and we hate the man who hates *all* enthusiasm. O what a writer this historian had been if his *æsthetic* had corresponded with his genius; if he had found on earth a reform to advance, or in Heaven a God to adore!

O Nature, how in every charm supreme!
Thy votaries feast on raptures ever new!
O for a voice and tongue of seraphim
To sing thy glories with devotion due!
Blest be the day I 'scaped the wrangling crew,
From Pyrrho's maze and Epicurus' sty,
And held high converse with the godlike few,
Who to the enraptured heart and ear and eye
Teach beauty, virtue, truth, and love and melody.

The little sympathy with which the clear-headed historian regarded the high destinies of man and the progressive evolutions of society, blinded him to some of the plainest signs of the times, and led him to misrepresent where he had no wish to understand. One of the grossest instances occurs in his account of the conferences at Hampton-Court, before the king, between the Church party and the Puritans. He solemnly tells us, that "the only apparent subjects of dispute were concerning the cross in baptism, the ring in marriage, the use of the surplice, and bowing at the name of Jesus. These were the mighty questions which were solemnly agitated in the conference at Hampton-Court, between some bishops and dignified clergymen on the one hand and some leaders of the Puritan party on the other; the king and the ministers being present."—*History of Great Britain, under the House of Stuart, page* 9, *ed.* 1759. How partial! How perverse! What a sophism! Just as if men never involved the deepest principles in the most insignificant formulas; just as if two hostile ships, in a national war, were fighting whether they should keep flying or pull down a piece of bunting at the mast-head; just as if Theodosius, when he punished the citizens of Antioch for defacing his statue, was angry because a lump of marble was broken; just as if the American Revolution was for the price of tea; just as if Othello roared for his handkerchief because he could not afford the loss of a shilling. Every question must be viewed in all its connections, with all its coloring, and in all its consequences. The Puritans knew well what they were doing; a religion that dwelt in forms could never satisfy the men who were terribly in earnest. They were resisting power; they were dissipating delusion; they were the champions of freedom.

In certain questions, no man is entitled to deeper respect than Hume. He saw some subjects in the clearness of sunlight; but having no sympathy with human progression, no hatred for theoretic despotism, no love for mental and moral liberty, no perceptions of immaterial beauty, and no aspirations after ethical truth, he seems to be almost a child in questions which come within the verge of these lofty precincts. His

mind resembles an Alpine summit, mailed in ice, supported by rock, and bathed in the crimson light of a rising or setting sun. If the eagle lights there, or the storm cloud, he can see and analyze the object; but the poetry and the majesty of the scene escapes him; and, as if you should plant the flower there it would not grow, so in his mind no beauty charms, no sublimity elevates; he would chain the destinies of the world to the clumsy coach-wheels of the eighteenth century.

Mr. Carlyle means to sympathize with the movement-principle. Convinced that former writers have thrown a mountain of ice over the warmth of ancient patriotism and the embers of departed liberty, he designs to melt it away in his own refulgent fire. As the virtues of Cromwell have been shown through a contracting glass, he holds up his own magnifier, and gives us the man as an idol of hero-worship, because he has been an object of political detestation. He gives us his papers; he makes the hero speak for himself. We cannot think this plan a happy one. No doubt, in ordinary cases, it is best to make a hero tell his own story, as far as possible; it is wise for a biographer to follow the example of the epic poets, and retire himself from the stage when he can make his characters speak. Thus Boswell has given us the most vivid impression of Johnson, by the very original expedient of recording miniature portraits of his conversations. Thus Mason has shown us Gray, by giving us extracts from his letters. The best memorials we have of Bonaparte are his conversations, because he was an excellent talker; but old *Noll* was a most wretched bungler with his pen; he knew better how to *do* great actions than to *record* them. The advantage gained by carrying us back to the very image and superscription of Cæsar, is not compensated by the worn-out effigies on the rusted and worthless coin. We grant that his obscurity and confusion have been exaggerated; we see that he could be intelligible whenever it suited his purpose to be understood; but after all abatements, we are still conducted, in all his letters and speeches, to the same uninteresting and undevious mediocrity. Cromwell is the last man to step from the narrative into the dramatic. It is impossible for great events, in such an exciting age, to be recited in a worse manner. His pen was as cold as his conceptions were clear and his decision great. We cannot think but his biographer (if we may so call him) has been misled by a good idea applied to a bad subject. Cromwell is a hero, whose magnitude is best seen, not by too near an approach to his person, but by contemplating the events he regulated, the minds he moved, the battles he fought, and the obstacles he overcame. He is a statue, whose pedestal must rise in the twilight, and even then its features show best in the distance.

Poor man! his reputation has always been a foot-ball, kicked from side to side by contending parties, and never resting on its proper centre. The cloud of history arises from the fact, that the events of a revolutionary age are always related by the victorious faction. They stand too near either to see all the events in their just proportions, or to free their hearts from the cotemporary passions.

> Brother, I find my soul a troubled sea,
> Whose billows are not fully quieted,
> Altho' the storm be over.

Clarendon was certainly an honest man—an important actor in the great events of his day; but certainly not qualified to give the final estimation of the characters of Cromwell or Laud. The same may be said of Whitlock, Mrs. Hutchinson, Baxter, and all who have left memoirs of the time. By the predominant party Cromwell has been delivered to us as the arch-hypocrite; the concentration and essence of the evil principle. Tory writers, whose possessions were shadowed by the throne, and whose piety was shaped by the priesthood, and who therefore could never conceive of a nation without a king, or a church without a bishop, must have believed in the abomination of rebellion just as they embraced the divine right of kings. Hume introduces him to our notice by calling him a *fanatical hypocrite*;* words easily spoken, for nothing is so cheap as censure, and one noun and one adjective may include a whole character. As political freedom advances, it is necessary that these false impressions should be corrected.

Now it seems to us, that Mr. Carlyle

* Hist. of Plutarch, Chap. II., p. 182. Quarto. 1759.

is raised up by the Sovereign Author of all truth, not to fix the beam in a lasting equilibrium, but to throw heavy weights into the *other* scale. Of Cromwell we cannot think that he was a fanatical hypocrite, or a spotless saint; he was neither a hypocrite nor eminently sincere. The age wanted a man, as Barras said of Bonaparte, that *would not stand on scruples*. He was found, and never known to stop half-way in his intended designs. They had a faithless king to deal with, whose promise never bound him; and he saw—Cromwell saw, that it was foolish to begin the war without receiving its fruits; it was criminal to throw away blood and treasure for nothing. He was certainly no hypocrite when he enlisted that regiment of horse that wrought such wonders. "I will not deceive you," said he, "nor make you believe, as my commission has it, that you are going to fight for the king and parliament: if the king were now before me, I would as soon shoot him as another; if your conscience will not allow you to do as much, go and serve elsewhere."—*Guizot, page* 207. Surely there was no hypocrisy here. And when he came to the great crisis of his fortune; when he found the timid, half-way men, who had invited him to begin the war, were now betraying him at the close of it; when he boldly seized the king and prevented his machinations by executing him on the scaffold, he only carried out the design he had avowed in the beginning. He was probably, in that awful moment, moved less by ambition than a sense of self-preservation, and an honest wish to promote the welfare of the nation. Had Charles been an enlightened king, Cromwell would have been an obedient subject.

Mr. Carlyle's book is a kind of historical descant, in poetic prose, on that remarkable period. He is always readable; often thrilling; sometimes exaggerated; but generally just. His course is like wild-fire over a prairie—he sparkles along, when the eye of the slow reader traces him in vain. He discusses nothing, but gives you conclusions in a flash. Whether he claims to be a historian, we hardly know; if he does, he is defective; for in none of his books does he give you a full account of the events, over which he flies like an eagle. If Father Paul's account of a history be just, that the book itself should contain all that is necessary to understand it, our author fails at once; for neither in this work, nor in his French Revolution, could the reader get the least idea of the series of events but by the help of other authors. But if, *after* getting the chronology and the facts from other authors, the reader wishes to be assisted by a running commentary, he will be always amused and often instructed by the pages of Carlyle. He is a link-boy, running along the street with juvenile velocity, and if we continue to keep up with him, he will lead us by his light.

The history of M. F. Guizot is of a different stamp. It is written on an excellent plan. We have always been partial ourselves to those historians who select some luminous spot in the field of events, where some great events have occurred, and some high principles are involved, and concentrating the author and reader's attention, give us a definite picture, which neither confuses us by its multiplicity of incident, nor exhausts our patience by leading to no results. Thus the Catilinarum War, by Sallust, notwithstanding all its faults, is a deeply interesting work to us. It is a peep at interior Rome before its fall; it is a vivid picture of life and manners, and shows how worthless is freedom where virtue is not. It evinces that a grinding aristocracy is not more tolerable, because baptised with the name of a republic, and that an unequal division of property, grasped and acquired by wrong, will surmount and overbear all the political formulas which have been established for ages. *Cum tabulas; signa, toreumata emunt, nova diruunt, alia ædificant; postremo omnibus modis pecuniam trahunt, vexant; tamen summa lubidine divitias suas vincere requeunt. At nobis est domi inopia, foris æs alienum.** Truly here is a hard case; and almost volumes of reflection are suggested by the rapid sketch. We like these sketches, not only because they do not exhaust our patience, but because we believe them to be more truthful; whereas, when a historian moves his glass over the wide field of a whole horizon, some things are beyond

* Bellum Catilinarum—Catiline's Speech.

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our ken and some things very imperfectly reported. Though it has been alledged that these short histories are semi-fictions, (the story of the conspiracy at Venice for example, on which Otway founded his play,) yet we should prefer taking our chance of finding pictorial truth, at least, (in truth of manners and moral state,) in such a sketch, than in the long extended, glittering volumes which cover a nation's destiny.

The highest praise that can be accorded to Gibbon must be, that he has conquered a great difficulty. Notwithstanding his vast erudition and patient research, how many things has he uttered which he could not know? That wonderful work resembles a bridge, some parts of which stand on granite piers, firm and enduring, and some on rotten posts, bending beneath a weight of assertions, and already sinking into the mud. The work of Livy, as Niebuhr has shown, has more of the qualities of a splendid poem than a careful history; there is more beauty than truth in every page, if any thing can be beautiful which is not true. M. Guizot has followed a different line; he has chosen one of those luminous spots. The records are ample; the events are great; the lesson is important, and the effects will be eternal. Nothing in this world's history ever equalled the great drama, of which the life of Charles the First constitutes the most thrilling act. The principal fault of M. Guizot's book is, it only intimates, it does not record, the immortal catastrophe. It is as if Homer should break off his story of the *wrath of Peleus' son* before the death of Hector.

However, the book has a good degree of *integrity* to it. As far as principle is concerned, it forms a whole; and we can scarcely pay M. Guizot a greater compliment than by saying, he has produced a work worthy of his theme. He throws himself generously and sincerely into the onward element. He seems to know well that—

> Great evils ask great passions to redress them,
> And whirlwinds fitliest scatter pestilence.

He makes proper allowance for the excesses which honest liberty must commit in her way to her elevated object. He has drawn most of the characters in their true colors, allowing for the opposite positions in which they stood, and the honest motives which might impel them. Take the following example of Hampden, the best man perhaps that lived in that or any other age:—

> "Never had a man inspired a whole nation with so much confidence; whoever belonged to the national party, no matter in what rank or from what motives, looked to Hampden for the success of his views: the more moderate had faith in his wisdom; the more violent, in his devoted patriotism; the more honest, in his uprightness; the more intriguing, in his talents. Prudent and reserved, while ever ready to brave danger, he had been the cause of no failure, still possessed the affections of all, and, by his unexpected loss, gave a shock to the hopes of all. Happy and but too rare fortune, which thus fixed his name for ever on that height, whither the love and full confidence of his contemporaries had carried it, and perhaps saved his virtue, like his glory, from the rocks on which revolutions drive and wreck the noblest of their favorites!"

The following may be regarded as a very philosophical and impartial view of the whole controversy between the king and his parliament, at the end of the war:—

> "And now commenced between the parliament and him, a struggle hitherto without example in Europe, the clear and glorious symptom of the revolution, which then took its beginning, and which was destined to have its accomplishment in our own times. The negotiations went on, but without either party hoping anything from them, or even proposing to treat. It was no longer each other they addressed in their declararions and messages; both appealed to the whole nation, to public opinion; to this new power both seemed to look for their strength and their success. The origin and extent of royal power, the privileges of both houses, the limits of the allegiance due from subjects, the militia, petitions, the distribution of offices, became the subjects of an official controversy, in which the general principles of social order, the different kinds of government, the primitive rights of liberty, the history, laws, and customs of England, were by turns set forth, explained, and commented upon. In the interval between the disputes of the two parties in parliament, and their physical struggle on the field of battle, reason and science were seen to create an interposition, so to speak, of several months, suspending the course of events, and using their ablest endeavors to secure the free adhesion of the people, by stamping on one or the other cause the character of legitimacy. At the opening of parliament, England had neither desired nor even thought of a revolution; the dissenters merely meditated one in the church; the return to legal order, the re-establishment of ancient liberties, the reform of actual and pressing abuses, such had been, or at least so it thought, the sole wish and hope of the nation. The leaders themselves, bolder and

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more enlightened, scarcely formed any more extended projects; the energy of their will surpassed the ambition of their thoughts; and they had gone on from day to day, without any ultimate aim, without system, carried forward simply by the progressive development of their situation, and to satisfy urgent necessities. When the moment arrived for drawing the sword, all were aghast: not that their hearts were timid, nor that civil war, in the abstract, had either in the eyes of the parliament or the people, anything strange or criminal about it; on the contrary, they read it with pride in the great charter, in the history of their country. More than once they had braved their masters, had taken away and given the crown; and those times were so far back, that the misery overclouding them was forgotten, and the people only saw in them glorious examples of their energy and their power. But it had always been in the name of the laws, of clear and acknowledged rights, that resistance had been declared; in achieving liberty, England had ever regarded herself as only defending her inheritance; and to these words alone, "law," "legal order," had attached that popular and spontaneous respect which rejects discussion, and sanctions the boldest designs. Now, however, the two parties reciprocally accused each other of illegality and innovation, and both with justice; for the one had violated the ancient rights of the kingdom, and would not abjure the maxims of tyranny; the other claimed, in the name of principles, as yet altogether indefinite and confused, liberties and a power till then unknown. Both felt the necessity of throwing the mantle of the law over their pretensions and their acts: both undertook to justify themselves, not only according to reason, but according to law. With them, the whole nation rushed eagerly into the lists, agitated still more than their leaders with sentiments that seemed to contradict each other, yet all equally sincere. Scarcely freed from an oppression, which the laws of their ancestors had condemned but not prevented, they ardently sought for more efficacious guarantees: but it was still to the very laws, whose inadequacy had been experienced, that their hope was attached. New opinions, new ideas were fermenting in their minds: to these they trusted with vivid, pure faith: they gave themselves up, with all their might, in all confidingness, to that enthusiasm which seeks the triumph of truth, at whatever price; and, at the same time, unassuming in their thoughts, tenderly faithful to old customs, full of respect for old institutions, they wished to believe, that, far from changing aught in them, they were only rendering them true homage, and restoring them to vigor. Hence a singular mixture of boldness and timidity, of sincerity and hypocrisy, in the publications of all sorts, official or otherwise, with which England was then inundated. The ardor of the national mind was unbounded, the movement universal, unprecedented, immoderate: at London, at York, in all the great towns of the kingdom, pamphlets, periodical and occasional journals, were multiplied and diffused in every quarter; political, religious, historical questions, news, sermons, plans, counsels, invectives, everything found a place in them, everything was brought forward and discussed in them. Volunteer messengers hawked them about the country; at the assizes, on market-days, at the doors of churches, the people crowded to buy and read them; and, amidst this universal outburst of thought, this so novel appeal to public opinion, while at bottom, both of proceedings and writings, there already reigned the principle of national sovereignty grappling with the divine right of crowns, yet the statutes, the laws, the traditions, the customs of the land, were constantly invoked as the only legitimate criteria of the dispute; and the revolution was everywhere, without any one daring to say so, or even perhaps owning it to himself."

The author is a friend to liberty, independent of its formulas; he is too much of a philosopher to attach public happiness to any government that does not respect all rights, and is not actuated by the soul of justice. He loves liberty, but detests Jacobinism; and wishes to preserve reform from radicalism, religion from enthusiasm, equality of rights from the destruction of property, and war from wasting its strength in shedding blood without an object. Those who think the abuses of a land can be silenced by sprinkling it over with rose water, as Carlyle expresses it, will find no countenance from M. Guizot.

We cannot agree with him, however, in thinking that the English revolution can never be understood without being viewed in connection with the French one that followed it; nor can we believe that a Frenchman has any advantage over others, to understand its great result. The truth is, we are moving on in a long line; and, if all results must be contemplated before such revolutions can be understood, we shall never be taught until the day of judgment. M. Guizot has himself told us in his preface: "Far from interrupting the natural course of events in Europe, neither the English revolution nor our own, ever said, wished, or did anything that had not been said, wished, done or attempted, a hundred times before they burst forth." They proclaimed the illegality of absolute power, the free consent of the people in reference to laws and taxes, and the right of armed resistance, were elemental principles of the feudal system; and the church has often repeated these words of St. Isidore, which we find in the canons of the Fourth Council of Toledo: "He is king who rules his

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people with justice; if he rule otherwise he shall no longer be king." Now, if revolutions are generated and move on these eternal principles of human nature, how is it that a new link in the chain, or a new item in the account, can add anything to our conception of the permanent principles? As when we see two parallel lines, a short space is sufficient to show that they *are* parallel, we need not continue them on for ever to demonstrate they will never meet, so, according to M. Guizot's own showing, the revolution in France can throw no new light on that in England. According to him, it is but the moral of all history repeated in all time.

Besides, we must be permitted to suggest that, in such revolutions, there is, strictly speaking, no catastrophe. When the play seems to close, it only closes like some of Shakspeare's historical dramas, to be the prelude to a second exhibition; it closes as the day closes, after a few hours of darkness, to introduce another. Nothing has been settled by the Revolution in France which was not settled ages before; and there is much that is not yet settled. The tendency of all advancing freedom is to universal suffrage; and then comes the question, can the government be happy and lasting when the ruling and the ruled power are identical? Will property be secure? Will intelligence be infused? Will conscience predominate? Will justice reign? These questions are not settled to universal satisfaction, even by *our* national example. We are constantly reproached with the condition of the negroes; the writers in Blackwood's Magazine are still suggesting to us that, when our western vallies are filled, and a dense population is rolled back on our cities; when a majority of our voters are totally without property, and are not regulated in their political conduct by having something more than their persons at stake, then we shall see new developments—we shall be startled by spectres which have hitherto slumbered in the silence of sepulchral dust. We hope these gloomy predictions are not true; and we distrust the prophet who, like Jonah, hopes to see his foretellings fulfilled in the ruin of the city. No doubt it is the part of a good republican to HOPE; but then it is the part of a wise man to FEAR; and when we reflect that no theory, on demonstrated principles, can draw the exact line where progression and reformation should stop, it certainly becomes us to proceed with caution, mingling hope with fear, and bringing every theory to the test of experiment.

The course has generally been, that liberty enlarges herself until she becomes impracticable, and then she falls by her own weight. When she ceases to protect property and life, you may be sure she is near her death-bed; for, as we instinctively demand such protection, when the old constitutional power ceases to do its office, a new power springs up, informal and unhampered, to which the people fly for protection, and that constitutes the government. Revolutions are not all in favor of liberty, not even in an enlightened age. As the stream that begins in the barren mountains flows into the fertile dale, and then winds again into the desolate sands that skirt the sea, so the constant and restless progression of the human heart is not always from evil to good. We sometimes pass from good to evil; or, in other words, man's life is motion; and no constructive felicity will satisfy him which does not give him justice, security, protected property and domestic peace.

We close with recommending both these books to the attention of our countrymen. They both of them have advanced our knowledge and deserve our gratitude. We cannot agree with a contemporary journal,* that Carlyle gives any just reason, by his style, for suspicion that he is not sincere. His style is indeed deformed by affectation; but a man may be very quaint, yet very sincere. He may be very original, and yet willing to advance it by adscititious singularity. We should regard Carlyle as the most sparkling writer, and Guizot as of the most solid judgment. The one is remarkable for picturing, the other for fullness; the one is a brilliant commentator, the other a faithful witness; the one we read, and, for awhile remember, the other we shall never forget.

* North American Review, last number.

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# THE OLD ENGLISH PULPIT.

No. II.

PLATONIC DIVINES.—QUEEN ANNE'S DIVINES.—STERNE.

THE seventeenth century was in some respects the most celebrated epoch of the English Church; then arose her sublime religious poets, her ablest preachers, her most learned scholars. Of the divines of this period, a choice collection may be made under the title which we have prefixed to this article. As we have never seen this school classed together and discriminated as such, we shall be at some pains to represent their common creed and governing principles. Mackintosh, in his sketch of Cudworth, has done this so neatly in a single sentence, that we quote it for its comprehensive generality: "Taught by the errors of their time, they considered religion as consisting, not in vain efforts to explain unsearchable mysteries, but in purity of heart, exalted by pious feelings, and manifested by virtuous conduct." This doctrine was held in all its integrity and without limitation by More, Cudworth and Norris.

These writers were the leaders of the school of divinity—we would call Platonic. Next to the sacred writings Plato was their great authority. They received him as a true teacher, a legislator of virtue. His mystical tenets found a congenial soil in their enthusiast hearts. Two of these divines, More and Norris, were poets as well as philosophic theologians; and Cudworth's philosophy has a strong vein of fanciful speculation in it. Their system was pretty much the same with that maintained by Malebranche. The views of this matter, as expressed in the following passage, may stand as a pretty fair exposition of, and close approximation to, the tenets of the English Platonists, and especially of Norris, who was the avowed disciple of the French philosopher. "There is one parent virtue, the universal virtue, the virtue which renders us just and perfect, the virtue which will one day render us happy. It is the only virtue. It is the love of the universal order as it eternally existed in the Divine Reason, where every created reason contemplates it. This order is composed of practical as well as speculative truth. Reason perceives the moral superiority of one being over another as immediately as the equality of the radii of the same circle. The relative perfection of beings is that part of the immovable order to which men must conform their own opinions and their conduct. The love of order is the whole of virtue, and conformity to order constitutes the morality of actions." The latter part of this paragraph coincides more nearly with Clarke and the Rational School of Morality.

The life of Dr. More has been written by Richard Ward, a biographer who had evidently served no apprenticeship to his trade. It is one of the most rambling, desultory books we have ever looked into, an eulogy throughout, and in some places too extravagant for the zeal of the most ardent admirers of More. Still the book is valuable from the variety and amount of original matter it contains—scraps of More's writings and specimens of his table-talk. More was a man of "singular experiences," at once visionary, mystic and an enthusiast, and yet a subtle thinker, gifted with considerable fancy, and of as pure a spirit as was ever enclosed in a human body. Being frequently requested to write his life, he used to answer briefly, that if it were written it was such as would not be believed. He was born in the year 1641, in Lincolnshire. Though often pressed to accept of great dignities in the church, he preferred a secluded way of life, and spent his time principally at his university.

He used to say of himself, that he had, "as a fiery arrow, been shot into

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the world, and he hoped that he had hit the mark." In excuse for his wonderful relations he somewhere says:—"There is no notable Christian that will not seem to have something of madness in him." Of his own person he and his biographer seemed to have had a very exalted opinion arising from his uncommon purity. Indeed, Mr. Ward, without More's genius, appears to have possessed at least equal simplicity, and to have had the bump of admiration pretty fully developed. He seemed to regard More as "a perfection of a man." More was unquestionably a most tolerant, and yet zealous Christian: an ingenious and fanciful thinker, a scholar of great acquisition and without pedantry. He was our English Fenelon, equally sweet in temper, gay and cheerful in his innocent mirth, and with that strong tendency to mysticism to which those men are liable who unite great acuteness of understanding to a beautiful gentleness of disposition.

In our notice of Cudworth we follow the criticism of Mackintosh. "His mind was more of an ancient than a modern philosopher. He often indulged in that sort of amalgamation of fancy with speculation, the delight of the Alexandrian doctors, with whom he was most familiarly conversant; and the intellectual system, both in thought and expression, has an old and foreign air, not unlike a translation from the work of a late Platonist."

Though his life was directed to the assertion of Divine Providence, and though his philosophy was imbued with the religious spirit of Platonism, yet he had placed Christianity too purely in the love of God and man to be considered as having much regard to those controversies about rites and opinions with which zealots disturb the world. They represented him as having fallen into the same heresy with Milton and Clarke, and some of them even charged him with atheism, for no other reason than that he was not afraid to state the atheistic difficulties in their fullest force. As blind anger heaps inconsistent accusations on each other, they called him, at least an Arian, Armenian or a Deist. * * * It is an interesting incident in the life of a philosopher, (concludes our benevolent critic,) that Cudworth's daughter, Lady Masham, had the honor to nurse the infirmities and watch the last breath of Mr. Locke, who was opposed to her father in speculative philosophy, but who heartily agreed with him in the love of truth, liberty and virtue!

Norris lived later. His first work was the translation of a Platonic rhapsody, "The Picture of Love Unveiled." He corresponded with Lady Masham and Doctor More, and was recognized as the English disciple of Malebranche, whose tenets he closely copied in his principal work, "The Theory of the Ideal World." Norris, like More, was a lofty enthusiast,—an idealist in philosophy; in theology a mystic. He left sermons and a great variety of short philosophical treatises, all in the same style. The circumstance in the life of this almost forgotten writer most generally known is, that he was Herbert's immediate successor at Bemerton; and, if purity of life, and elevation of soul were recommendations for that situation, surely no man better deserved the living.

Norris wrote poetry; which, though too abstruse, and highly fantastical, in general, yet, in the moral poem of "The Choice," which we subjoin, is of a more temperate cast, and forms an appropriate companion-piece to a similar gem of Sir Henry Wotton:

"THE CHOICE.

"No; I shan't envy him, whoe'er he be
That stands upon the battlements of state;
Stand there who will for me,
I'd rather be secure than great;
Of being so high the pleasure is but small,
But long the ruin, if I chance to fall.

Let me in some sweet shade serenely lie,
Happy in leisure and obscurity;
Whilst others place their joys
In popularity and noise,
Let my soft moments glide obscurely on
Like subterranean streams, unheard, unknown.

Thus, when my days are all in silence past,
A good plain countryman I'll die at last;
Death cannot choose but be
To him a mighty misery,
Who to the world was popularly known,
And dies a stranger to himself alone."

A friend has kindly pointed out the following passage in the sermons of Norris, on the Beatitudes, which is well worth transcribing. His theme is the necessity of purity of heart; and he is portraying "the Intellectual Heart." "This intellectual heart, the spirit and soul of man, is the spring and source of

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all action. This is that which sees in the eyes and hears in the ears. This is that which understands and wills, loves and hates. Here are all the springs and powers of life and motion,—here is the last resort of all outward impressions; and from the central point are derived all the lines of action and motion, even as all the arteries and veins are from the natural heart, which it diffuses and disperses throughout the body, and has its pulses in every part. If, therefore, this general head-spring is not kept pure and clean, how can the stream run clear? And upon this was grounded the signal advice of the wise man: 'keep thy heart with all diligence, for out of it are the issues of life.'" Parallel to which I find a passage in the meditations of the royal philosopher, Marcus Antoninus, (ενδον βλεπε, ενδον ἡ πηγη του αγαθου), look within, for within is the fountain of good.

Further, yet this intellectual heart is not only the fountain of action and motion, but the most active and most rapidly moving thing in the world. This heart is always beating; the pulses of it never rest; thought rises upon thought, and desire succeeds desire. The motion is perpetual, constant and vehement; so vehement, that the swiftest bodily motion—no, not that of the starry orb is comparable to it; so vehement that it cannot be discerned or numbered, and comes nearer to a rest than a motion, as the swiftest turnings round of a globe look like standing still. Now, what a dangerous thing is such a motion as this, if not rightly determined. Of what vast heights in goodness is it capable; and to what vast heights of wickedness may it rise if not well governed.

Under the general title of Queen Anne's Divines, we connect the names of certain great divines of the Church of England, who were nearly contemporaneous, and who exerted, perhaps, a greater influence on the church than any other of the celebrated preachers of their day. There were other men of celebrity, who never obtained an equal reputation, nor reached the same heights of distinction.

The prose of Queen Anne's day, which a once prevalent, but now extinct French taste, tried hard to make us believe the perfection of English prose composition, was the classical language of familiar life. It was the neat, ready conversational style of the correctest thinkers and the easiest writers. Contrasted with the rich harmony of Milton's prose, or the innumerable points of Fuller, it was meagre and bald. It had nothing of magnificence; it never fascinated, it never overwhelmed by prodigious force. Power was not its characteristic. It was, comparatively, timid and constrained, not free and bold. A writer in the Edinburgh Review places the subject in the proper point of view:

"Speaking generally, (he remarks,) of that generation of authors, it may be said, that as poets they had not force or greatness of fancy, no pathos and no enthusiasm; and as philosophers, no comprehensiveness, depth or originality. They are sagacious, no doubt, neat, clear, and reasonable, but for the most part cool, timid, and superficial." He also adds, observing a new point: "Writing with infinite good sense and great grace and vivacity, and above all, writing for the first time, in a tone that was peculiar to the upper ranks of society, and upon subjects that were almost exclusively interesting to them, they naturally figured as the most accomplished, fashionable and perfect critics which the world had ever seen; and made the mild, luxuriant, and humble sweetness of our earlier authors appear rude and untutored in the comparison. Literature was then a fashion, and its patronage an honor to the wealthy and powerful. Court influence, official dignities, and responsible stations, were judiciously appropriated to men of letters. Sir Isaac Newton was made Master of the Mint; Addison, an officer of one of the Houses; Prior was sent to France on an embassy," &c.

Two points we shall briefly notice: the one the effect of party politics on rural writers. Factions in literature grew out of factions in politics. The State and the Republic of Letters were, both of them, convulsed with internal broils and dissentions. These produced the most unhappy results. Most of the great writers of the Whig party were banded together against their brother wits among the Tories—Pope, Swift, Arbuthnot, and Gay, against Addison, Steele, and Garsh. It was this, joined to personal pique, in-

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duced Pope to draw the characters he painted of Addison and Walpole. The productions of either party were cried up by its adherents, and cried down by its opponents—Cato, only, obtained the suffrages of both Whigs and Tories.

It was this party feeling that made the reputation of Atterbury, and which heightened, not a little, the fame of Chesterfield and Pultney.

The above is more especially true of the elegant authors of that period: those who cultivated the polite parts of literature. But these distinctions, and other characteristics of the age, crept also into the Church and infected her ministers.

The second point we intend noticing, was the philosophical spirit caught up by writers on morality and divines of the Church, from the writings of Locke, and other eminent speculative writers of the age preceding. A little later than this, viz.: in the time of Queen Caroline, as we shall have occasion to observe in our sketch of Butler's philosophy, became the fashion as literary patronage had before. The exhibition of a philosophical genius in Clarke and Butler added new dignity to their clerical character, and invested the moral teacher with the graces of the priest.

Of the divines we have selected for a slight notice, Atterbury was the one to whom most of the above will apply, in our remarks as to the effect of party zeal; he is first in order of time if not of merit. He was one of the most accomplished characters of a refined period, and yet his fame was almost purely ephemeral. His reputation, mostly founded on personal qualities and attractions, that ceased to charm when he was absent, gradually diminished, until now that he is barely known by those of his own profession, and by the political historian.

He was rather, if we may credit historians, formed for political eminence than for high station in the spiritual court or the republic of letters. A man of strong zeal, and ready intrigue; ready, zealous and aspiring—gifted with fine personal qualifications of voice, action and manner. From the first he took part against the House of Hanover. He always considered its accession as interrupting the just inheritance of the Stuarts. A Jacobite to the last, he cloaked his designs from the many, and was open only to a very few. In his politics fierce and turbulent, he was, we fear, too zealous a partizan to have been a good bishop. Yet he was a kind and affectionate father, and certainly in private, toward the end of his life, if not before, exemplary and honest.

His "softer hour" is recorded by Pope, with the infinite delicacy that marks the compliments of that author. His eloquent defence, on his trial for high treason, drew more tears, we may be sure, than the cold polished rhetoric of his sermons. He died an exile.

Dr. Samuel Clarke was a man of different metal; an abstraction of metaphysics rather than a bustling man of the world. He united a versatility of acquirement to strong logical powers—at once a divine, a mathematician, a metaphysician and a philologist: the editor of Homer and Cæsar, the scholar of Newton, and antagonist of Leibnitz. As a moralist, Clarke looked to reason as the source and law of duty, the interpreter of right, the judge of wrong. In the unswerving and unalterable idea of excellence, he beheld the path of action. Good and evil, right and wrong, virtue and vice, were eternally distinct. Goodness and truth were correlative terms. To live well was to act the truth. A vicious act was a practical falsehood, and a crime was a great lie.

Clarke is the father (in England) of the Rational School of Morality, a system which no passion and little sentiment enters; which refer all principle to an eternal reason, and all actions to an everlasting law of duty. This law of duty existed always,—was contemporary with divinity. It was perfect in God only. A man was a Christian or an infidel in proportion as he approached or receded from it, or rather Him. Clarke failed in his attempts at a mathematical demonstration of religious truth, a failure the wisest must expect. For it seems the deepest truth is not demonstrable as are its superficial doctrines. Truth lies within. Moral and internal evidence is sufficient for any reasonable inquirer; and he must have a very doubtful claim to the possession of an immortal soul, who affects to doubt the certainty of its ex-

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istence. Faith here is reason. Dr. Clarke, though a very wise, was (what all wise men are) a very simple man in his taste and habits. A good story is told of him, and very characteristic. It seems he had a singular trick of jumping over chairs and tables, by way of exercise. Once engaged in this harmless amusement, with some friends, he beheld Beau Nash approaching, whereupon he ceased his foolery, and assuming a solemn appearance, exclaimed, "let me be grave, my friends, a fool is coming."

Butler (in the words of Horace Walpole) "was wafted to the See of Durham on a cloud of metaphysics." When a mere boy, a student at the Academy at Gloucester, he wrote to Dr. Clarke on his celebrated demonstration, in which correspondence he displayed the greatest acuteness. Encouraged by him, he began to preach and continued to speculate. For several years after his first entrance into the Church, he lived in great obscurity, until Queen Caroline, inquiring one day of Archbishop Blackburn whether Butler was dead or no, was answered "no, madam, but he is buried," in allusion to his retired way of life, in an out of the way district. The metaphysical Queen took the hint, and put down Butler for the first vacant bishopric. Of Butler's royal friend and patron, we lately met a spirited account in Lord Mahon's History of England. It may stand for a portrait of many a blue stocking. "She was fond of talking on all learned subjects, and understood something of a few. Her toilet was a strange medley—prayers and sometimes a sermon was read, tattle and gossip succeeded, metaphysics found a place, the head-dress was not forgotten, divines stood grouped with courtiers, and philosophers with ladies. On the table, perhaps, lay heaped together, the newest ode of Stephen Duck upon her beauty, her last letter from Leibnitz upon free will, and the most high-wrought panegyric of Dr. Clarke on her inimitable sweetness, &c. She was dearly fond of disputes and used to set her philosophers by the ears for her entertainment. She is distinguished for her patronage of Churchmen." With some slight defect she appears to have been an admirable woman.

Butler is one of the greatest of ethical philosophers; the advocate of high stoical principle, of the supremacy of conscience, and yet most benevolent and liberal. He contended manfully for the disinterested benevolence of the human heart, opposing the low dogmas of Hobbes and Helvetius. His sermons are moral essays, or rather metaphysical speculations on moral topics. His style harsh, constrained and awkward, contains thoughts of great value. Of his Analogy, it has been said that, "like the essays of Montaigne, it would be read for ever, in spite of its style."

The late William Hazlitt was one of the few adherents of Butler, and a follower of whom Bacon might have been proud.

We trust none of the admirers of the amiable Bishop of Cloyne, of whom we hope there is among our readers a number, will think we have either forgotten to mention him in the list of Queen Anne's Divines, or that we designedly meant to pass him by without notice. Very far from that was our intention; we rather conceived that he deserved a separate notice in our catalogue of English Divines. So far from underrating Berkeley, we regard him as "the bright particular star" of his period; one of those admirable characters that occasionally appear on this earthly scene to remind us of our native affinity to the angels; a man to be classed with Jeremy Taylor and George Herbert, and Mr. Farrar, and the Bishop of Cambray—a rare and sweet union, of the Apostolic Bishop, the highly accomplished Christian Knight, (for there was a fine spirit of pious chivalry in Berkeley, witness his disinterested endeavors for the poor heathen;) the profound and subtle thinker, perhaps a little too metaphysical; a moralist of the Platonic cast, high and spiritual; and a writer, pure, graceful, harmonious and eloquent. Such a constellation of spiritual graces and intellectual talents have rarely, if ever, been before associated in the person of a single individual. Yet in the midst of this galaxy of virtues and admirable qualities, we find nothing on which we can repose with greater satisfaction, than on his pure benevolence and warm charity. If there ever lived a really disinterested philanthropist, —one who despised honors, looked on wealth merely as an instrument of

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doing good, and whose mind cherished only the one grand idea of charity, based on duty and warmed into noble action by generous impulse; if there ever was seen an honest heart that sought truth for its own sake, detesting error as the sister of sin and daughter of death, that would lay down his life for the good of mankind—Berkeley was that philanthropist; Berkeley's was that soul; Berkeley possessed that genuine heart. To those who know the private history of this great man, any relation we could give would fall very far short of their conception of him. To those who know him not, we fear the simplest eulogy may seem overstrained and unnatural.

To many, Berkeley is recommended by his acuteness of speculation and fine philosophical style. His immaterialism, as Mackintosh justly observes, is chiefly valuable as "a touchstone of metaphysical sagacity; showing those to be altogether without it, who, like Johnson and Beattie, believed his speculations were skeptical, that they implied any distrust in the senses, or that they had the smallest tendency to disturb reasoning or alter conduct." Much as we admire the writings of Berkeley intended for the general scholar, we must confess those purely metaphysical to be too tough for our intellectual digestion; they are truly metaphysical chokepears. His theory, pure and spiritual, (at least) served as a fair antidote to the material ideas of the preceding age, when the sensualism of Hobbes was the reigning system. In itself we see no practical benefit to be derived from a close examination of it, except as an exercise of intellectual ingenuity; and we do find an objection of considerable weight in the tendency which follows a devotion to its principles, i. e., a running into an excess of subtlety seldom beneficial, and at times absolutely painful. It is said, however, that most great metaphysicians have been, at some period of their lives, smitten with an admiration of the Berkleian system. Minds strongly tinctured with a love of speculation, appear to be naturally biassed in its favor; though few have continued to hold these tenets through a long life.

The works of Berkeley, containing a full exposition of his metaphysical views, are—The Theory of Vision, a Treatise on the Principles of Human Knowledge, and the Dialogue between Hylas and Philonous.

Several entertaining anecdotes are preserved of Berkeley's devotion to his theory, and the witty banter of his friends on it. He is related at Paris to have held a long debate with a celebrated philosopher of that day, who died out of pure vexation at being discomfited in the argument. At Naples, he had as a friend wrote "an idea of a fever," which the witty correspondent declared had the effect of impressing "the idea of death" pretty strongly in the mind of his acquaintance. About this last anecdote, our recollection of the place may be wrong, but not of the fact. Addison invited Dr. Samuel Clarke to a disputation with Berkeley at his house, hoping to reconcile the philosophers to community of belief and system; but the discussion ended, like most discussions, where each party had his mind made up beforehand. Berkeley, if we are not mistaken, declared afterwards, that his opponent had not displayed the candor that might have been expected from one whose reasonings were as fair and open.

Berkeley wrote no professed treatise on morality, yet his whole works, and especially his entire character, are full of the purest spirit of humanity; he was at the same time a high-toned stoic, a benevolent judge of his fellow men, and an Epicurean after the fashion of the founder of that sect: that is, refined, elegant and peaceful, without being addicted to any one form of pleasure, or captivated by any agreeable vice.

The works of Berkeley are classics, and sought after by the gentleman as well as by the abstract inquirer. Beside those mentioned above, he wrote "The Minute Philosopher," a defence of religion, in which he thoroughly refutes every infidel and skeptical position: painting the irreligious man in the several characters of free thinker, rake, skeptic and infidel. We read this book in our college days with genuine delight. With one instance we are acquainted with, the convincing power of the argument, in the case of an acquaintance, now a student of theology, who, before reading Berkeley, imagined he had doubted. To the man of letters and the refined gentleman we

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would present this work of Berkeley's in preference to all others on the same subject, for a confirmation of correct and ennobling views of religion and the Deity; since it is not only acutely and closely reasoned, but also elegantly and finely written. It is the production of a Christian gentleman, (that much abused character, so often assumed, so seldom sustained.) Siris is a curious medical tract on tar-water, of the virtues of which we think (from a slight practical trial) Berkeley entertained a rather extravagant notion. His copious imagination invested this nauseous drink with all the healing properties of a panacea, and yet Berkeley was as far removed from all quackery as it was possible for a man to be. He selected this singular subject as the vehicle for his peculiar philosophical opinions. It is filled with contemplative inquiries after the manner of Plato, and from the first dawnings of philosophy rises gradually and with dignity to the highest Divinity. This famous sentence, that cannot be too often quoted, concludes the original essay. "Truth is the cry of all, but the game of a few. Certainly where it is the passion it does not give way to vulgar cares, nor is it contented with a little ardor in the early time of life; active, perhaps, to pursue, but not so fit to weigh and revise. He that would make a real progress in knowledge must dedicate his age as well as youth, the latter growth as well as the first fruits, "at the altar of truth."

A romance, entitled "The Adventures of Signor Gaudentio di Lucca," is ascribed to Berkeley; and if, after a delightful and yet careful perusal we may venture to pronounce a judgment, we should assert it to be his, undeniably. No name is appended; but the whole tone of thought, the novel graces of style, the air of liberal and world comprehending benevolence in it, are the best evidences of its true author. If it be not Berkeley's, it is an admirable imitation, worthy of his genius and heart. It purports to give in the evidence of an Italian gentleman and traveller before the Inquisition, an account of a people living in the interior of Africa, entirely unknown to the rest of the world—a people worthy of the golden age, wise, virtuous and happy, living in the greatest temperance and harmony; whose rules and laws, few in number, are admirable in spirit and execution, except one or two singularly harsh penalties; whose customs and social manners are full of poetry and a happy fire-side philosophy; whose conversation is that of sages and philosophers, rather than of men and women.

Of the character of Berkeley we have spoken in high eulogy; let us see how well this may be borne out by the testimony of the great and good. Sir James Mackintosh, with his usual discernment and even more than his accustomed generous enthusiasm, dilates with earnest warmth on the portrait of this "great good man." "Ancient learning, exact science, polished society, modern literature, and the fine arts, contribute to adorn and enrich the mind of this accomplished man." All his contemporaries agreed with the satirist in ascribing

**To Berkeley every virtue under Heaven.**

"Adverse faction," in the day when party feeling ran very high, "and hostile wits, concurred only in loving, admiring, and contributing to advance him. The severe sense of Swift endured his visions. * * * Even the discerning Atterbury said, after an interview with him, 'So much understanding, so much knowledge, so much innocence, and such humility, I did not think had been the portion of any but angels, till I saw this gentleman.'" The great project of Berkeley's life, or rather of his maturer age, is alluded to in a letter written at the time. "Lord Bathurst told me, (Warton) that the members of Scriblerus Club being met at his house, they agreed to rally Berkeley, who was also his guest, on his scheme at Bermudas. Berkeley having listened to the many witty things they had to say, begged to be heard in his turn, and displayed his plan with such an astonishing and animating force of eloquence and enthusiasm, that they were struck dumb, and after some pause, all rose up together, with earnestness exclaiming, 'Let us set out with him immediately!'" This reminds one of a parallel instance in the career of our Patrick Henry. Of Berkeley's scheme we cannot furnish a better account than a succinct abstract of Mackintosh. "It was when thus beloved and celebrated, that he conceived, at the age of forty-five, (1729) the design of devoting his life to reclaim and

convert the natives of North America; and he employed as much influence and solicitation as common men do for their most prized objects, in obtaining leave to resign his dignities and revenues, to quit his accomplished and affectionate friends, and to bury himself, in what must have seemed an intellectual desert. After four years' residence at Newport, in Rhode-Island, he was compelled, by the refusal of the government to furnish him with funds for his college, to forego his work of heroic, or rather god-like benevolence; though not without some consoling forethought of the fortune of the country where he sojourned. Thus disappointed in his ambition of keeping a school for savage children, at a salary of a hundred pounds, by the year, he was received on his return, with open arms, by the philosophical queen, at whose metaphysical parties he made one with Sherlock, who, as well as Smalridge, was his supporter, and with Hoadley, who, following Clarke, was his antagonist. By her influence he was made Bishop of Cloyne."

In addition to his claims on our admiration and respect, as a philosopher, an author, a man, and a philanthropist, Berkeley ought to be a cherished name to every true Irishman, for he was a patriot of the noblest stamp. Unlike Swift, he was not the devoted political partisan, but the lover of his country—the friend of all his countrymen. Catholics and Protestants equally shared his endeavors for their national and individual welfare. "Berkeley's Querist" is still looked up to as one of the earliest tracts on the modern science of Political Economy. He was a temperate and sagacious counsellor, as well as an active defender and enthusiastic advocate. His endeavors have, at last, resulted as he would have desired. The blessings of thousands, did they but know their benefactor, would nightly be offered to the shrine of Berkeley, as to the Patron Saint of his country. This would be an idolatry with something to back it. His name deserves a solemn invocation, at least as much as many of the best popular Saints, and more than most in the list of a Roman Catholic devotee.

From Berkeley, who can hardly be classed with the old divines, we pass to Sterne, a complete modern. The learning of Sterne (chiefly stolen, as that arch detector of plagiarisms, Dr. Ferrier, has shown,) gives to his compositions, at times, the air of antiquity, as well as his occasional imitations of Rabelarsian wit. Quaint names, obsolete references cloud and darken his page. But his genuine humor, his sure pathos, his dramatic style, are essentially modern.

Laurence Sterne, the admirable comic painter, the sweet elegiac prize poet of humanity, united to his other various characters that of divine. And surely the clerical profession never included a more sterling wit in its ranks, nor held a member much less fitted for his sacred functions. Motley never wore a severer garb than the "good fellows" Sterne exhibited in his robes of office. In common with all judicious critics, we cannot look on Sterne, the clergyman, with the favoring eyes we could wish: but Sterne had other claims—still has on our love. If the current accounts of Sterne be correct, especially his desertion of poor Maria; if the contemporary anecdotes of his life, habits, and conversation are veracious; if his own printed letters (which he was anxious to collect and destroy,) are to be literally taken, we fear a verdict against the author would be the only result.

The riant humor of the wit, we apprehend, was translated into an unbecoming levity in the priest; and, say what we may, an instinct of reverence for holy things, no less than the mere outside decorums of the world, requires a certain gravity (especially at peculiar seasons,) in the ambassador of the Lord of Heaven. The character of a wit is not the highest aim of a good priest—it smacks too much of indifference and contempt. The sermon in Tristam Shandy, read by the Corporal with not a little unction, and commented upon by my Father and my Uncle Toby, with less of critical acumen than of genial sympathy, paved the way for the publication of "The Sermons of Mr. Yorick." Had Sterne never published Tristam Shandy and the Sentimental Journey, it is not likely these sermons had ever been published, or if published, would probably have shared the fate of countless volumes of the same class. But the name of the author was now famous, a pass through the gate of immortality: that name which the judi-

cious tutor would not allow to be erased from the ceiling of his school-room, written by the boy Sterne, and saying it would come to honor; that name, we repeat, was a sufficient magnet for any publisher.

These sermons became very popular; so much so as to induce a dogmatic adviser to the young to exclaim bitterly against them. To call them sermons is almost a misnomer. They are moral essays with ornaments, and in the mere form of a sermon. We find the general manner of Sterne to prevail in them, curbed by the strong restraints of time and place. The wit is thin and meagre where it occurs, which is not very often. There is nothing of powerful eloquence or very fine sentiment, but a great deal of artificial declamation. Its tone is hollow; the general air is that of assumed sincerity. The style is perfectly clear, and occasionally animated. Vivid sentences, as a matter of course in a writer like Sterne, often occur. Sterne's satirical passages are very pointed. We quote a few:—"Look out of your door—take notice of that man; see what disquieting, intriguing and shifting; he is content to go through, merely to be thought a man of plain dealing; three grains of honesty would save him all this trouble—alas! he has them not." "But here comes Generosity: giving—not to a decayed artist, but to the arts and sciences themselves. See, he builds not a chamber in the wall apart for the prophet, but whole schools and colleges for those who come after. Lord! how they will magnify his name! it is in capitals already—the first, the highest in the gilded rent-roll of every hospital and asylum." A line of simple pathos succeeds: "One honest tear shed in private over the unfortunate is worth it all." A little beyond: "Hark! that—the sound of that last trumpet—let not my soldier run: it is some good Christian giving alms. O Pity! thou gentlest of human passions! soft and tender are thy notes, and ill accord they with so loud an instrument." Sterne's characteristic ingenuity of thought and expression does not fail him in these sermons. Like all professed wits, he is apt to slumber over a moral dissertation; but give him a dramatic scene, a piece of pathetic or satirical description—a scene of moment, and he rouses himself. In his grave passages he moralizes somewhat after La Bruyere. In selecting topics he is very happy, whether historical events or character, or domestic themes of familiar duty. He dilates on these in his peculiar manner, ingeniously and agreeably—he rarely attempts more. "The Prodigal Son" is one of the best; a prodigal waste of ingenuity, finally and most unexpectedly turning on the benefits and disadvantages of foreign travel. In one passage he has imitated Taylor with considerable effect. He recapitulates "the sad items" of his extravagance and folly;—it is a picture of gorgeous profusion. "The feasts and banquets which he gave to whole cities in the east; the costs of Asiatic rarities and of Asiatic cooks to dress them; the expenses of singing-men and singing-women; the flute, the harp, the sackbut, and of all kinds of music. The dress of the Persian courts, how magnificent! Their slaves, how numerous!—their chariots, their horses, their palaces, their furniture, what immense sums they had devoured! what expectations from strangers of condition! what exactions! How shall the youth make his father comprehend that he was cheated at Damascus by one of the best men in the world? that he had lent a part of his substance to a friend at Nineveh, who had fled off with it to the Ganges? that a whore of Babylon had swallowed his best pearl and anointed the city with his balm of Gilead? that he had been sold by a man of honor for twenty shekels of silver to a worker in graven images? that the images he had purchased had profited him nothing? that they could not be transported across the wilderness, and had been burnt with fire at Shusan? that the apes and peacocks which he had sent for from Tarsus lay dead upon his hands, and that the mummies had not been dead long enough which he had brought him out of Egypt?"—What a catalogue of expensive luxuries!

With meet audiences Sterne's sermons would have a strong recommendation in their excessive brevity. They are the shortest with which we are acquainted. The preacher was lazy, or his congregation indolent. We can easily picture to ourselves an audience with whom Sterne would be a favorite.

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# THE FAVORITE.

"Ah, my lord!" exclaimed the first gentleman of the privy-chamber of Louis XIV. to the young Count Lauzun, almost sweeping the ground with the well-powdered toupee of his enormous periwig—"ah, my lord! to what am I indebted for the pleasure of an opportunity to assure you of my profound respect, at this hour, and in this place?" "The king is engaged with his council of finance," added the usually adroit courtier, with some little embarrassment.—"Indeed, the wheels of the great government machine creak occasionally, and then it becomes rather boisterous in the council-chamber. Therefore, as my lord count must be aware, I may not suffer any one, except it be some unimportant servant like myself, to linger in this ante-chamber. But you, my lord, make an exception to all rules; how can a miserable door close itself against one to whom all hearts are open?" "We will not attempt to ascertain how much truth there may be in what you say," answered Lauzun, "yet I must beg of you, my dear De Ryert, to bear with me a few moments at the present time; I promise you that the king will not be displeased to find me here." "How can I doubt you—I, the king's first gentleman of the privy-chamber?" interposed De Ryert, with redoubled courtesy; "does my lord hold me for so great a novice in my service?" "Certainly not," answered Lauzun, "I know the just confidence with which the king rewards your well-proved fidelity, and will therefore make to you no secret of the fact, that I am attracted hither by most delightful anticipations. Our good monarch is just upon the point, my dear De Ryert, of bestowing upon me a great, I may indeed say, a very unusual proof of his favor. It was so tiresome remaining at home, counting the minutes until the appointed hour, that you must allow me to chat away the tedious time here with you." "Ah, count," answered De Ryert, with great humility, "how can you make sport of me in this manner? I am but too happy to be the first to offer you my joyful congratulations. The favor with which his majesty intends to distinguish you must surely be great and extraordinary." "It is, indeed," answered Lauzun. "How will my friends rejoice at the splendid career which, in a few moments, will be opened to me!" "In a few moments!" devoutly repeated the chamberlain. "Yes, yes, my friend, in a few moments," exclaimed Lauzun, carried away by the intoxication of glad anticipation; and glancing with a smile in the friendly face of his humble worshipper, in which the kindest curiosity in the world stood written in legible characters.

"Hitherto the king's command has compelled me," he continued, "to keep silent about the matter; but he has himself fixed upon this day, before mass, to present me to the court in my new dignity. Meanwhile, as we are here together awaiting his majesty, I may venture to give you a proof of my gratitude for the friendly interest you have evinced in my behalf, by confiding to you what as yet no one suspects. So listen: Duke Mazarin really retires from all official business, and I am to succeed him as General Field-Marshal."

Congratulations, thanks for the confidence reposed, exclamations of the most lively and pleased astonishment, to which Lauzun listened with a smile of self-satisfaction, now poured forth in an uninterrupted stream from the eloquent lips of the chamberlain; yet suddenly, with every appearance of the greatest alarm, he became speechless. "Good God! what have I not forgotten in my rejoicing," he at length exclaimed, in apparent terror; "after all it is only an unimportant commission from my master; but as his majesty is now —why! how! ah!" groaned he, moving anxiously about and snapping his fingers; he then drew forth his watch, and a glance at the hands seemed to afford him some little consolation. "Perhaps it is not yet too late!" he sighed, wiping the perspiration from his forehead; "the council will remain yet

nine minutes in session! and even the impossible must sometimes be attempted in the monarch's service!" With these words, and a very reverential bow, he hurried past the count, and out of the door, which he carefully closed behind him; he then stole, like a cat upon velvet paws, silently up a private staircase, rising three stairs at every step, and in a few seconds stood breathless before Louvais, in the little cabinet in which that minister was accustomed to labor the whole day in solitude, when the court, as was now the case, was at St. Germain.

That powerful minister, dismissing his faithful spy with many thanks and more promises, hastily gathered up some papers, without paying much attention to the selection of them, murmuring to himself, "the little cadet from the banks of the Garonne increases the spread of his wings with great rapidity, and will soon fly over all our heads, unless we find a way to clip them."

Ryert was again quietly sitting in the ante-chamber, relating to Count Lauzun, in the most free and easy manner, about the roses and orange-blossoms which he had been so lucky as to procure, just in time for presentation to Madame Montespan, as Louvais entered, with his papers in his hand, and with a slight inclination of his head to the two gentlemen, passed on directly to the door of the royal saloon.

In vain did the chamberlain place himself directly in the minister's way, assuring him, in a tolerably decisive tone, that his majesty was not yet visible. Louvais paid no regard to his opposition,—said he had important despatches, which he must instantly communicate to his majesty, and passed unhesitatingly in, although he had neither seat nor voice in the council that was then in session. Lauzun saw the folding-doors close after him with a slight shrug of the shoulders and a sly smile of triumph, and then turned to listen with at least apparent attention to the chamberlain's conversation. In a few minutes the minister returned, passing hastily through the ante-chamber, and soon thereafter the king himself entered it. The count, who in the eagerness of expectation had advanced a step to meet the king, sought to catch his eye,—but the monarch passed him by with icy coldness.

"Who knows with what absurdity Louvais has vexed him!" said Lauzun to himself by way of consolation; for he was much disturbed by this unusual neglect. This mood will soon pass away, and after mass he will surely remember his promise, thought Lauzun, dismissing all anxiety, and joining the procession which followed the king to the court chapel.

Long and brilliant rows of the most eminent ladies were already occupying the benches in the chapel, their attention, perhaps, not equally divided between the visible and invisible governor of the world; for, at no price could any of those present have been induced to neglect the worship of God in the royal chapel, when the king himself was to be present. Lauzun seemed a little less cheerful than usual, as, from his place in the rear of the king, he cast his eyes upon the host of beauties collected there, much like tulips in a bed; but his countenance soon lighted up as he caught a ray from a pair of the fairest blue eyes; it was a glance which might indeed have brought upon him a far more serious disappointment than the one which he had so recently suffered.

Anna de Montpensier, the fairest, proudest, most spirituelle princess at the court of Louis XIV., was the potent fairy who knew how to exercise this magic power over Lauzun. As granddaughter of Louis XIII. and daughter of Gaston of Orleans, nearly related to the king, she occupied the high rank of daughter of France.—Her immense wealth, with the important titles and estates inherited from her father, caused her to be looked upon as one of the richest princesses of Europe, whose hand foreign princes, and even monarchs, had often sought in vain. Thus was she now a lady, in the fullest sense of the word—a Pallas in spirit, mind and form, just entering upon the summer of her life. This lofty being had lost, with the fleeting brilliancy of early youth, none of her charms; for the style of her full-blown beauty needed not its aid. Men worshipped her at a distance, as they would worship an immortal spirit; and only to a spirit, as aspiring and ungovernable as Lauzun's, could it have occurred to see not always the princess, but sometimes the beauteous woman, whose occasional condescending gentleness ap-

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peared, indeed, all the more irresistible, from her elevated rank and customary dignified reserve. He felt that she had never looked fairer to him than this morning. His truant glances wandered until they lost themselves amid the labyrinth of pearl-strewn braids and curls, in which her fair locks were disposed. Her swan-like neck was shaded by almost invisibly fine points d'Alençon, which was fastened in front by a large breast-knot of brilliants. A loose robe of dark chenille-lace, through which a rich golden under-dress was visible, covered her form, leaving only the bare suspicion of one of the prettiest little feet ever imagined on this side of the celestial empire. The distinguished kindness with which the princess turned towards Lauzun, on going out of the church, and permitted him to hand to her the holy water, completed the enchantment which wrapped him in forgetfulness of every thing but the passing moment. He did, indeed, become sensible of his folly the moment she was out of sight, and took his heart to task, endeavouring to impress it with the fate of Icarus, but without very eminent success.

He passed the whole of the following day, as usual, near the king's person, but without hearing a word in relation to his contemplated promotion. A multitude of trifling and apparently accidental circumstances obstructed his every attempt at a confidential approach towards his master, which at other times he had almost hourly enjoyed; so that it was not until late in the evening, when, according to the etiquette of those times, it became his duty to attend to the disrobing of the king, that he obtained the desired opportunity to remind him of his promise. "Yes, yes, there is a difficulty in the way; we will see at our leisure what can be done,"—was all that he received for answer.

Poor Lauzun walked his chamber the whole night in a state of the wildest excitement. The icy coldness with which those few words were spoken, had cast down the spoiled favorite from the high heaven of his hopes, and he became the prey of alternating rage and grief. It was not the failure of a great and brilliant expectation that moved him, so much as it was the feeling of the never-before suspected falsehood of his royal friend; for he had attached himself to his master with really heartfelt devotion, and previous to that day would have defended him with the chivalrous courage of a Paladin of the olden time, against any one who should have dared to hint the possibility of that, the truth of which he now felt himself compelled to acknowledge.

Reared in the solitude of retirement, educated according to the laws of that chivalry for which his native land was formerly so honorably distinguished, Count Lauzun had not long since come from his father's castle, in Gascony, to the house of his near relative, in Paris, the then powerful Marshal de Grammont. As the portionless younger son of a noble but not wealthy family, his object was to seek honorable promotion, either at court or in the army. His splendid form and pleasing manners won for him the favor of high and low in his uncle's house. The eccentric outbursts of his sparkling wit, his courage, his contempt for every thing degrading, his truth in love and hate, made the heart of the Count de Guise, the eldest son of Marshal de Grammont, wholly his own;—for, young, handsome and brave as Lauzun himself, the Count de Guise beheld in his relative but a duplicate of himself. This zealous, true, and also powerful friend, paved the way for the advancement of the newly-arrived cadet over the heads of all who stood in his way; he presented him to the king, who was much pleased with the young southron, loaded him with favors, and kept him as much as possible about his person. Thus rose the recently insignificant Lauzun, now the declared favorite of the king, with lightning speed from step to step, until he had reached the rank of major-general; he had hoped to mount yet higher, saw himself near the attainment of his object, and now had so suddenly fallen! It was very natural that this unexpected reverse should afflict him, and the more so from the fact that he was wholly unable to imagine the cause of his misfortune and disgrace.

During the dark and solitary hours of night our imaginations dwell upon our cares, until each assumes the most inordinate proportions, becoming more and more gigantic, until the long desired slumber steeps our fevered senses in for-

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getfulness; and when morning, like an angel of consolation, attends the bedside at our awaking, it shows the objects of our cares so reduced in size and importance that we often laugh at our nocturnal exaggerations. But it is different when the morning sun finds us yet waking amid these fever-born anxieties, which every minute increases the wild rushing of the heated blood; senseless projects, unreasonable and impracticable resolutions, that would but accelerate misfortune, generally betoken the dawn, whose first rays are most welcome to the dry and burning eyes that have watched through such a night.

Such a night was passed by Count Lauzun, during which a thousand plans, each more bold and dangerous than its predecessor, arose in his soul, and were again successively rejected. But there was one, however, to which he held fast, and put into execution. At the proper hour he repaired to Madame Montespan, the fair, proud, all-powerful mistress of Louis. As she had always appeared to be well-disposed towards him, he thought he might venture to ask her aid in unravelling the mystery of his master's changed deportment; for it was this change of feeling that most grieved him.

Half-consoled by her kindness and sympathy, he took his departure from the audience-room of that beautiful woman. She had wondered with him, conjectured with him, complained with him, and promised to do the possible and impossible in his behalf; what better, in his situation, could he wish? But, alas! he could not long remain contented in this comparatively happy frame of mind; his hot Gascon blood kept him in a state of perpetual agitation. He wished, above all things, that he could have invisibly hovered over the heads of the king, of Madame Montespan, of enemies and friends,—and at length happened to hit upon a plan most dangerous in the execution, but which, after it had once entered his mind, he could not give up; for to his bold, unbending nature, it was impossible to draw back when any hazardous enterprize beckoned him onward.

With gold, prayers, flatteries, and more especially through a peculiar irresistibility, of which he well knew how to avail himself on occasion, he at length succeeded in prevailing upon an old and confidential attendant of Madame Montespan to conceal him in the apartment of her mistress, about the time when she was accustomed to expect the king's afternoon visit. The hour struck; the king came; and Lauzun, who was separated from the pair by only a thin piece of tapestry, lost not a syllable of a conversation of which himself was the principal subject. The slightest movement, a loudly-drawn breath, an involuntary cough, might have led to his destruction. Had the king discovered the audacious listener, his fate would have been terrible; but his good angel watched over him, and kept him outwardly still, despite his internal agitation.

At length the striking of the richly ornamented time-piece suspended upon the crimson damask hangings of the apartment, reminded the king that it was time for him to attend the rehearsal of a new ballet which was in preparation for an approaching court festival. On his departure Madame Montespan retired for a moment to her toilet-cabinet, for the purpose of laying on a deeper color for candle-light, and Lauzun's trembling confidant availed herself of the opportunity to release him from his imprisonment. Well acquainted with all the private passages of the palace, he almost flew down some narrow back-stairs, and was already standing in the ante-chamber on the other side of Madame Montespan's apartments, when the latter, after a few moments, issued forth, to follow the king to the rehearsal. The count very politely offered her his arm, and accompanied her through the long range of galleries, corridors and halls, to the private court theatre, where the whole court were already assembled.

"Have you, good and beautiful fairy, mentioned my affair to the king?" whispered Lauzun to her on the way; "and what said my master?" he further asked, as the lady answered him with a smile and affirmative nod. His voice was agitated, and the arm which supported Madame Montespan trembled perceptibly;—yet this was very pardonable under the circumstances. "Evil tongues, which I cannot more particularly designate, have been busy between you and the king, that cannot be denied," answered Madame Montespan; "but his anger is already on

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the decline;—with a little time and patience on your part, all will yet be well; for, that I did every thing in my power to restore you to your former place in the king's affections, Count Lauzun will not doubt."

"Really?" answered the count, in a singular tone of voice—"Really? most worthy lady! did you heartily espouse my cause? did you speak for me? did you defend me?" "Indeed, what a question!" answered the lady. "I tell you that your difficulty is as good as settled. Only yet a little patience, and all your wishes——"

"Miserable prostitute! common liar! as false as artful, despicable as impudent!" whispered the count in her ear, so low that none but she could hear him, while he remained standing beside her in the most respectful attitude, and with a countenance apparently denoting the utmost deference. "In vain," he continued in the same tone, and still preserving the same outward appearance—"in vain do you attempt to deceive a man from whom nothing remains concealed. I know every word that passed between you and the king, not ten minutes since, in your most secret chamber. He told you that Louvais sought him yesterday, during the sitting of the council of finance, drew him to a window, and there secretly informed him that I, with unpardonable presumption, was everywhere boasting of my approaching promotion to the office of General Field-Marshal. He further stated to the king that this promotion would be the cause of incessant difficulties and discontents in the army, while the well-known uncongeniality between Louvais and myself would give rise to constant strife, which he, as minister of the war department, could not avoid. You then said to the king, that Louvais considered me a supercilious, importunate, innovating simpleton, who, though possessing tolerable colloquial powers, was totally incapable of managing any important business; and you, madame, sustained the opinions expressed of me by Louvais. That my good master has been prejudiced against me; that he has accused me of indiscretion; that he believes I was induced by vanity and self-conceit to prate when he commanded my silence,—for all this I have to thank you alone; you strengthened him in this belief; you poured oil on the flame; and to your falsehood alone am I indebted that the king has broken the solemn promise he gave me."

Lauzun might have long continued his upbraidings, for his crushed listener could hardly stand for astonishment and terror, and was totally incapacitated for making answer or defence. But they had at this moment reached the theatre, where Lauzun was compelled to be silent, and with a low bow he took his leave. The lady, wholly overcome by contending emotions, sank fainting into the nearest seat. The whole court was instantly in a state of alarm, and even the king so far forgot himself as to hasten to her assistance, in the presence of the queen. Madame Montespan was obliged to be carried from the hall, and the affair, inexplicable to all present, became the subject of much unpleasant conjecture and remark.

When the king, at a later hour, visited his mistress in her apartment, to inquire after her health, he found her furious with anger, and trembling with terror. Amid floods of tears she complained to him of the unworthy treatment she had received, tearing her hair with rage, while ever and anon a cold shudder ran through her frame, when she reflected that it could have only been by the powers of darkness that the count could thus instantly have become acquainted with a conversation which no mortal ear could have overheard. Her superstitious terrors increased every moment; from every corner diabolical faces seemed to threaten her while she was accusing her persecutor, so that she hardly dared to call for vengeance upon him, however much she desired it. Nor could the king, angry as he was, refrain from falling into a fit of anxious reflection.

With what feelings of mutual constraint the king and Lauzun met on the following morning, may be easily imagined; and also, that the latter would not suffer matters to remain long in a state so insufferable. He availed himself of the first favorable moment in which he could speak to his master without witnesses, again with his usual freedom of manner to remind him of his promised promotion.

"And do you dare," answered the king, struggling to suppress his anger—"do you really dare to claim Mazarin's

place? when you have my great forbearance alone to thank that you yet remain free and unpunished at my court. Did I not charge you to preserve in your own breast the secret of your contemplated promotion, until I myself should think proper to make it public? You did not consider it worth your while to obey my commands, and may thank your own indiscreet vanity that you have lost the appointment; may it teach you to take better heed another time."

Lauzun was beside himself with anger when he heard what he considered only a lame apology for a plain breach of promise, for he felt himself innocent of the charge of tattling; his fatal communication to the chamberlain was long since forgotten. With flashing eyes and a glowing face, he retreated a few steps, turned himself partially aside from the king, drew his sword from its sheath, broke it across his knee, and threw the pieces before the king's feet, with the emphatic declaration that he desired no longer to serve a prince who did not regard his plighted word.

During this scene the king stood leaning against a window, playing with a costly Spanish watch which he held in his hand. Pale and trembling with rage, he convulsively grasped it with a threatening gesture; but in a moment he turned towards the window and threw the watch across the court. After seeming for a moment to struggle for breath, he again turned towards the count. "I should never forgive myself should I be so far carried away, even by the most righteous anger, as to treat a nobleman like a serf," said he; and passing coldly and sternly by him, the king left the room.

The natural consequences of this occurrence, which the count quietly awaited with manly firmness, soon followed. A lettre-de-cachet sent him on the same evening to the bastille, where the dark cell which received his form effectually separated him from the breathing world without. How great the contrast between the joyous and brilliant court he had just left and these dark and gloomy walls, within which the light of day was dimly admitted through a hardly visible grated window.

Colorless as the walls by which he was surrounded, lay the future before him, without the least prospect of a change in his situation, of a legal trial, of a hearing or of a defence. These dreadful lettres-de-cachet, the horrible invention of infuriated despotism, in those days delivered over their victims in secrecy and silence to the most hopeless misery. The king issued them according to his own arbitrary will, and not unfrequently granted them as a boon to his favorites, who often solicited them for the use of such of their friends as feared the actual commission of murder, and yet had powerful reasons for striking some unfortunate being from the list of the living. The effect of long custom, which permitted the king, almost without the idea of injustice, to use this terrible power, fortunately blinded both court and city to a danger always impending over each and all; otherwise no man in Paris could have taken the least pleasure in life. For none were safe from being transferred at any moment from the most brilliant and pleasurable existence to the gloomy night of a damp and loathsome dungeon. Neither rank, age nor sex, nor even a spotless life, were any safeguard; it was a matter of daily occurrence, and for that very reason did it scarcely ever occur to any one, that what was his neighbor's fate to-day might be his own to-morrow. The matter was then regarded by them as death now is by us; those who disappeared were soon forgotten, and those who remained lived on as before.

But a better fate was reserved for Count Lauzun; a still, small voice was ever whispering in the king's heart for one who had been so dear to him, and whom, although he would not acknowledge so much even to himself, he was unwilling to miss from his side. There were, besides, those who retained a kindly feeling for the poor prisoner, and who lost no opportunity of softening the king's anger. His indefensible violence was for the most part attributed to his hot and excitable Gascon blood. It was suggested to the king that the momentary self-forgetfulness of the unfortunate man was in some measure palliated by the overwhelming grief consequent upon the disappointment of the inordinate expectations which the king's plighted word had authorized him to entertain; and at length these representations were so successful that Lauzun, after a residence of some

weeks in his gloomy prison, at an unexpected moment heard the unusual sound of hastily-approaching steps. Keys rattled, bolts were withdrawn, the heavy door creaked upon its hinges, and before him stood his devoted friend, De Guitry. Tears filled the eyes of the good knight, when he glanced around the room, and witnessed the change which circumstances had made in the appearance of his friend.

"Guitry!" exclaimed the latter, in pleased astonishment, his cheek for a moment recovering the rosy tint of better days—"do you come to make me a visit, trusty friend? or,"—with sudden and serious earnestness he added, "have you also been sent to languish here? has your brilliant path led also but to destruction?"

"I am sent by the king as a messenger of mercy, of peace," answered the knight, joyfully clasping the prisoner in his arms. "Hold, hold!" answered Lauzun, with bitterness; "you see I am too badly provided here to be able to receive so high an embassy with becoming dignity; you have only a choice between this miserable bed and that wooden stool for a seat, on which to repose yourself, whilst I, with all due humility, listen to the grace which my monarch permits to be announced to me through his ambassador."

"Not this tone!" begged Guitry,—"forget not how very much you have angered the king."

"And has he angered me less?" interposed the deeply wounded Lauzun; "or is it, perhaps, the duty of a subject to submit with humility to his lord's breach of promise, and reverence faithlessness as a royal peculiarity? Is it our fault that we are exasperated beyond bearing, and driven from our propriety by the insensate conduct of others?"

"Louis is not less kind than just," answered the friendly knight; "he feels that he is not so entirely free from blame as to leave you without some excuse for your disrespectful conduct, and therefore desires to make reparation for his oversight,—yes, even more—he has sent me——" "To announce to me my nomination to the office of General Field-Marshal!" cried Lauzun, suddenly interrupting him.

"O thou true Gascon, what are you thinking of!" exclaimed the knight, laughing; "to demand what is impossible is childishness, my friend! That place is already filled; but the king offers you the post of captain in his body-guard. You yourself know that the first men in the realm deem themselves honored by such an appointment, considering it the highest mark of the king's confidence."

"Lay me at the monarch's feet as low and humble as you please," answered the count, with a bitter smile;—"but at the same time give him distinctly to understand, that the poor prisoner Lauzun will not permit himself to be negotiated with—that he prefers to remain in his dungeon, living or dead, as a memento of the truth and justice of princes."

After long and fruitless efforts, Guitry finally saw himself compelled to communicate the substance of his friend's answer, though in much milder terms, to the king, who did not, indeed, at the time seem to attach much importance to the affair. But the old inclination towards his refractory favorite could not, even by all the arts of Madame Montespan, be prevented from reviving the wish to have him again about his person, was perhaps only strengthened by the difficulties in the way of its accomplishment; and consequently, after a few days, to the astonishment of all the world, Guitry was again dispatched to the prison of his friend, to try a second time his powers of persuasion.

He found him if possible more obstinate than at first. "Well, have your own way, then!" exclaimed the knight, with mingled sorrow and anger, after having for some hours vainly endeavoured to convince the count of his folly. "Have your own way, and may the stubbornness that makes you now so firm, never bend, but give you courage to bear your self-elected fate. How will all who love you lament your hallucination! your sisters, your uncle Grammont, the noble Guise! And what will the princess——" "Anne de Montpensier!" interposed Lauzun,—"deceive me not! thinks she of me? Has she noticed my absence?"

"You deserve neither the love of your friends nor the remembrance of the princess," answered Guitry, "for you are not true towards us; how else can the suddenly subdued tone with which you ask this question, be recon-

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ciled with the unbending pride of your general bearing?"

"Has she really remembered me? has she spoken my name?" asked Lauzun, with great excitement. "I answer thee nothing more," said the knight, turning towards the door; but Lauzun seized and held him fast. For several moments they stood in silence, face to face, and eye to eye, until at length Lauzun's laboring breast was relieved by a deep-drawn sigh.

"Guitry," said he, "more than your prayers and arguments have the few words you have just spoken brought home to me—the remembrance how fair is life in the glorious sunlight, how great the sacrifice I am compelled to make! You have raised a storm in this bosom which—tell me by your honor I conjure you, can I step back? will no stain attach to me? Is it true, that there is no obstruction but my own will, and that hundreds have left this tomb before me, who——" "Finish not," exclaimed the overjoyed knight, hastening out; "seek not an excuse for having come to your senses; leave your cause in my hands."

(To be Continued.)

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## PAPERS OF AN OLD DARTMOOR PRISONER.

EDITED BY NATHANIEL HAWTHORNE.

### CHAPTER X.

#### ECCLESIASTICAL AND LITERARY.

Some persons outside the walls, mindful of the spiritual wants of their fellow-beings confined within, undertook to furnish each prisoner with a Bible. The work was commenced; but it was soon found that the seed of life was sown upon stony ground, and was likely to yield no good crop of the peaceable fruits of righteousness.—Those to whom the Bible came were, many of them, in the habit of selling them to the shop-keepers for beer and rum, having a more vivid feeling of their spirituous propensities than of their spiritual natures. The shop-keepers would barter them away to the grocers and market-people outside; and the knowledge of these transactions soon came to the ears of the philanthropic individuals who had conceived the praiseworthy, but as it proved, chimerical project,—and they abandoned it. And yet, if a suitable discrimination had been used, I do not know but some of the results, anticipated by the projectors of the scheme, might have been realized; for a majority of the prisoners were of a quiet and orderly character; and as time hung heavy on the hands of many of them, they would have been glad to pass some portion of it in reading. But to give Bibles to drunkards and gamblers, whose days and nights were fully occupied in the indulgence of the lowest animal propensities, was like casting pearls before swine.

A clergyman, (I believe of the Methodist sect,) from one of the neighboring towns, was in the habit of visiting the prisons very constantly on Thursdays. There was a place reserved in the cock-loft of No. 4 prison, which served equally well as a theatre and a lecture-room. Here the good man would hold forth in a quiet and rational manner: adapting himself to what he supposed to be the wants and condition of his hearers; and, although I pretty constantly attended his ministrations, as I respected the man and his motives, yet I am compelled to say, that I fear his advice, his warnings, his reproofs and encouragements, were

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wasted on ears that, hearing heard not, and on minds that could not understand, or would not follow out his precepts. Yet the good man was not deterred from continuing his labors, however he may have desponded of witnessing any successful results therefrom. He must have seen, as I have, his auditors, though decent and attentive enough while he was exhorting them, hardly waiting for his farewell benediction, before they surrounded the gaming-tables and grog-stands that were all the while driving a brisk trade in the neighborhood of his pulpit.

But the Pontifex Maximus of the diocese of Dartmoor was an ugly, thick-lipped, ignorant black man, named Simon; and I believe, notwithstanding his professions of piety, that he was a consummate rascal. Simon, King Dick, and a civil and inoffensive black man, who, from the circumstance of his having been a servant to the Duke of Kent, was known by the name of The Duke, constituted the hierarchy. Simon preached, the Duke responded amen to any peculiarly pungent passage, while Dick stood by with his big club, like a Roman lictor, to keep order, — when wo to the luckless dark skin who should chance to show any signs of indecorum. With the conduct of the whites, Dick never interfered; they brought their own customs and manners into his territory; and with a liberality worthy of the old Romans, Dick allowed them to bring their own religion or irreligion.

Simon's pulpit was a small table, placed on top of a bench, on which he stood; it was at first bare, but he soon contrived to have it covered with a green cloth. At a table beneath sat the Duke, with psalm-book in hand, ready to lead off the tune, (for he acted as chorister, or, as the Scotch say, precentor, as well as deacon,) while all around were ranged multitudes of black faces, drinking in the words of inspiration as they fell from the lips of the priestly Simon; and here and there might be seen a white face grinning almost audibly at the fun.

Simon's garb was at first not very clerical, being a bright green coat; but after a while, the contributions enabled him to raise the wind for a black one. It was, however, a second-hand one, and had been worn thin and rusty, and was withal too small for the priest, who was an uncommonly large and muscular man. He was obliged to shove his arms a great deal too far through the sleeves; and his bare lower arms, wrists, and broad hands, reminded me very forcibly of a pair of those kitchen implements denominated bread-peels. His arms being so straitly confined, hung down by his sides, giving him the appearance of that good old New-England thanksgiving dainty, a stuffed turkey, prepared for roasting, with its wings trussed back.

Thus ensconced in his clerical toggery, Simon appeared to be the happiest man in Dartmoor, for "he was supremely in love with himself, and was without a rival." Mounted on his bench, with his open Bible on the table before him, he poured forth, every Sunday, such streams of fervid eloquence, as I believe were never heard by mortal ears, before or since. He would work himself up into such a tremendous storm of fervor as to overflow, when such ranting, such roaring, such a torrent of broken gibberish running into blasphemy, as he then uttered, such grimaces and contortions as he then exhibited, it is impossible to describe,—and the attempt would be productive only of disgust. I have before me some notes, taken on the spot, of this fellow's mockery of preaching and praying; but they are too full of nonsense and blasphemy to lay before the reader. Simon one day met with a catastrophe; — he had had a vision, (as he said,) the night before, in which an angel predicted swift destruction on every obdurate negro who would not contribute liberally to a collection which he was to take up for some pretended religious object; he was expatiating with vehemence on the woes denounced, and was throwing his arms about him in wild confusion to enforce the terror of his words, when his old black coat suddenly gave way, with a rent all down alongside the back-seam. He then took advantage of this event to appeal to them more strongly for their further liberality, as, in addition to the proposed object, he must have another coat.

He got up a contribution once to buy a large Bible for the pulpit; and the money was paid in, but the Bible did not appear. The negroes had been

gulled so often, that Simon relied on their gullibility a little too far. Finding Sunday succeed to Sunday, but no Bible to take the place of the little one, the contributors became indignant, and laid their complaints at the foot of the throne. The monarch, notwithstanding his disposition to support the Pontifex, (for they played into each other's hands as well as kings and priests usually do,) felt obliged in policy to interfere. So he affected great indignation, and told Simon he was a great rascal and impostor, and that his piety and preaching were all a hoax; and forbade him to preach any more, on pain of his high displeasure. Simon, yielded to the storm, and for awhile desisted; but after a proper time he made his peace with royalty, expressed his contrition for having so far fallen away from grace, and shed hypocritical tears in confirmation of his penitence. He was restored to his priestly office, and resumed his clerical functions.

After each performance a hat was carried round by the Duke, and each man cast his mite into the treasury. The musical performances at these meetings were in a wild, but not unpleasant style, carried on entirely by the blacks, who, here as everywhere, exhibited their native taste for music. It was the choir, and not the priest, which attracted each Sunday a considerable number of whites to the meeting. I never knew that Simon was very successful in making converts of the blacks; — they lived with him, and knew him, and probably thought, as the wife of a certain ranting preacher did, who, when some one was praising to her the piety of her husband, exclaimed: "Ah! ye don't know Johnny so well as I do." Simon, however, made two white converts, and one day profaned the ceremony of baptism by immersing them in the bathing-pond.

The means of a very decent education were available at a very cheap rate at Dartmoor. This was before the celebrated declaration of Lord Brougham, that "the school-master was abroad in England;" but the schoolmaster was at home in that obscure portion of it on which the depot of Dartmoor was situated. There were many men there who were qualified as school-masters, and they turned their qualifications to account in such a way as to be productive of some little emolument to themselves, and of an incalculable amount of good to many of the young men who were confined there. Amid much of evil in our condition there, there was this of good—that it afforded leisure to a great many to acquire useful knowledge, who, but for this, would have been too much mixed up with the business of this bustling world to devote the necessary time to that purpose.

No. 1 was the principal place of education, — it was our Connecticut; though in every prison one or more schools were kept. It was common to see advertisements posted up, in which Mr. —— offered to teach reading, writing and arithmetic, at prices varying from sixpence a week to a shilling per month; and Mr. —— would propose to teach navigation and the use of the globes; or Mr. —— the French and Spanish languages, at the same cheap rate; and their schools were well attended, and, I believe, the schoolmasters generally competent.

There was a man in No. 7 prison who had been discharged from a British man-of-war, and had considerable prize-money paid to him. He turned his means into the purchase of several hundred volumes of well-selected books, and fitted up a library in the cock-loft of his prison, and kept his books for circulation, at a small sum per week, and I believe he found it to be a tolerably successful speculation. But, however the profit may have been to the projector, the library was productive of a very profitable and pleasant source of amusement and instruction to some of the prisoners.

It was seriously contemplated, at one time, to establish a newspaper within the prisons; and I believe the project would have been carried into effect, and have proved a successful one, had not the news of the treaty led us to believe that we should soon be liberated. Bulletins were occasionally posted on the walls, containing the leading incidents of news, prison memorabilia, &c., which in some measure answered the purposes of a newspaper.

Our prison-keeper was very unwisely sensitive about our getting any newspapers, except such as were devoted to the tory interest in England, or to the federal party in the United States; but

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I do not know whether he had orders to exclude them, or did it of his own mere notion. We thought it to be a very foolish and tyrannical restriction; and I cannot now conceive what purpose favorable to the British could be effected by it. These papers were not such as we desired to see, and we resorted to various expedients to get the liberal journals smuggled into the prisons. One of the devices was, by the agency of some of the bakers outside, to have the newspaper carefully enveloped, baked in the middle of a loaf of bread, with a particular mark on the loaf whereby it might be distinguished.—Cobbet's Register usually came in this way. The cost of papers was so great in England that we had to club together and form companies for the purpose of taking them. We seldom got sight of any papers from the United States but what our keeper chose to send us, or on the arrival of a fresh lot of captives who had recently left home.

Thus, it will be perceived that we had a tolerable infusion of education and literature at our university of seven colleges at Dartmoor; and that, like the practice at other colleges, each candidate had to undergo an examination when he entered; but then our president and faculty were as liberal and good-natured as the same worthy functionaries are at some American colleges —they rejected none for insufficient answers.

## CHAPTER XI.

PROVISIONS.—CHRISTMAS DINNER.—OCCUPATIONS.—COMMENCE BUSINESS, BUT FAIL.

There was great complaint among the prisoners of the insufficient quantity of provisions allowed us by the British for our subsistence. Our allowance was a half pound of beef per man, which, being delivered in the gross, was diminished considerably in weight by cooking and the abstraction of the bone; some turnips, or onions, a little barley, and one-third of an ounce of salt. On Wednesdays and Fridays, in lieu of the beef, we had a pound of smoked or pickled herrings and one pound of potatoes, or, in lieu of the herrings, a pound of pickled codfish.—We had also one and a half pounds of bread per day for each man, which was generally of a very good quality. This was our whole allowance by the British government; and for a robust, hearty man, it was certainly a very small one—the beef being only half the quantity allowed to its own soldiers and sailors, who receive, in addition, peas in an almost unlimited quantity, and cocoa at morning and night. We had no allowance for breakfast or supper; but to remedy this deficiency, we were paid by our own government two-pence-halfpenny per day, and this was paid to us every thirty-two days, amounting to six shillings and eight pence, or about one and a half dollars. I can bring no greater reproach on the British government for its treatment of the prisoners than this insufficient allowance of food, unless it be the immuring men in such a horrid and unhealthy climate as Dartmoor. There was no excuse for this stinting, in the treatment of British prisoners in the United States, who had at all times an ample allowance of food; and the authorities should not, with any claim to humanity, have allowed the chance of almost actual starvation to be warded off by our own government. I am sorry to be obliged to make these remarks, because, in general, I have no reason to complain of my treatment while a prisoner; but I know that many of the inmates of Dartmoor would have suffered from the insufficient supply of food, had it not been for the allowance of the American government.

For myself, I fared well enough; for I was connected with the mess of the little captain, whom I have brought to the reader's notice several times before; and with him, there was no lack of provender. He made friends at Dartmoor as well as everywhere else, and had his usual luck here, of finding the most generous and liberal

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friends of any man I ever knew. Lucky it was for him and them that his pockets were so capacious, or else he would have been obliged to do violence to his own feelings, and to put the modesty of his friends to the blush, by exhibiting the proofs of their kindness and beneficence. He was useful to every one. The contractor was grateful for his assistance in weighing out the bread and beef; the clerks were glad to avail themselves of his services in taking account; the committee were right well pleased that he helped them in the inspection, and the cooks for his valuable advice and assistance in the culinary processes; — and should such a man go with a hungry maw? No! shade of Heliogabalus forbid it! Else were gratitude but an empty sound at Dartmoor, and unrequited services a by-word in No. 7.

It was a glorious sight to us of his mess, each morning, when the captain returned from his daily labors of love, to see him unbutton his pea-jacket. Snugly ensconced between the breast of this and his inner coat, would he produce a nice, luscious, large salt-fish. From one pocket would emerge a huge beef-steak, and from the other delicious and savory onions, or mayhap some full-grown and taste-inviting potatoes; while his head was crowned with a nice four-pound loaf of white bread, modestly shadowing its loveliness under his ample hat, while one waistcoat-pocket would contain the salt, (the other he reserved for tobacco,) and his trowsers-pocket a snug little flask of eau-de-vie, for the captain's own especial use. Of this last article he claimed a monopoly, which I cheerfully accorded him; but, I believe, some of my messmates looked upon it with grudging eyes.

Best of messmates! prince of good fellows, and paragon of providers! Should'st thou not be allowed thine own little peculiar—thy drop of comfort in this ungenial climate? It was necessary for thee, after thy arduous labors in the offices, the market-yard, and the cook-house. And should the ungrateful recipients of the liberality of thy friends, those with whom thou freely shared'st all things, save this — should they envy thee thy daily potation?—I, at least, had not thus learned my duty.

But one thing was wanting to perfect the character of the captain. He was brave, generous and eloquent, but he had his infirmity; he had a very weak head, and his potations would "mount me up into the brain," and so knock about among the bumps of combativeness and destructiveness, that his afternoon character presented a painful contrast to his morning one. But we had all learnt to reverence his morning capabilities, and we administered soothing-syrup to his afternoon infirmities.

On the approach of Christmas, the captain's friends were uncommonly munificent; their own hearts, I suppose, were made more warm by the near prospect of enjoying the festivities of that season of old English hospitality; and presents flowed in, with a profusion that astonished even me, used as I had become to the winning graces of the captain and the kind regards of his friends. Christmas day, 1814, was therefore a red-letter day in our Dartmoor calendar. The captain was a man of the world, but he had not, as I have before intimated, a spice of selfishness in his disposition. His exclusive grasp of the little pocket-flask was caused solely by its very diminutive bulk. It was his pet, his favorite, the sole child of his love, and to which he clung with a grasp as unflinching as if it contained all that the world could give of pleasure; but had he possessed more of the same family, we should have shared them with him. This was verified on this occasion; for the captain found in the pocket of his small clothes, a one-pound note. How it got there, I never knew, — but it was a rara-avis, an oasis in a desert, — and I did not care to inquire very particularly into its origin; sufficient for me that it was there, and that the captain spent it all for beer, to wash down our savory morsels with.

The captain had invited a few friends, not of our mess, to partake;— good fellows they were all, and potent at the beer-jug. Some of them ate little and drank much; but, like the old friar in the play of "The Castle Spectre," "what little they did eat prospered with them most abundantly." Their bellies were rotund, and their legs spindle-shanked, sure signs of good feeding and vigorous digestion; and they were not stinted at our festival. A one-pound note bought ten gallons of

beer, and there were but ten persons to partake of it; and of the abstemiousness of one of the ten, modesty forbids me to speak.

The good yule-log was provided, not to burn, for we had neither stove nor fire-place, but to eke out our scanty supply of seats. The table was spread with a munificence unwonted in Dartmoor; and mess and guests forgot for awhile the recollection of home and its thanksgiving festivals; forgot their cold, dank, and dismal prison; forgot family and friends, and all, save the present festive occasion. Games of all-fours, cribbage, and whist, succeeded the dinner; pipe after pipe of tobacco was consumed, and while the aromatic smoke was ascending in graceful curls, each one looked round with much complacency on his neighbor, and all on the giver of the feast. Song followed song, toast succeeded to toast, and the memory of the feast now smacks on my mind, with grateful recollection of my long-lost messmate.

He who had money might do well enough at Dartmoor: for there were cook-shops and stalls of every kind and degree kept by the prisoners, from those which were dignified with the name of taverns, down to the humble venders of coffee and plum-gudgeons. At these taverns might be found meats, roast and boiled, and stewed and fried; pastry-cakes, fruits, wine and liquers; and they were well patronized, and profitable to their keepers. The cries of "hot plum-gudgeons! who'll buy a plum-gudgeon? hot freco! hot freco! lobscouse, nice and hot! hot coffee! hot coffee! burgoo, nice burgoo!" were continually resounding through the prisons. Some of these dainties have, I dare say, never before been heard of by my readers; and, for their instruction, as they are not to be found in any cook's oracle, from Mrs. Glass down to Dr. Kitchener, I will explain them. Plum-gudgeon was a compound of salt fish and potatoes, or rather of potatoes and fish; for the fish was something like a grain of wheat in a bushel of chaff; you might search all day till you found it, and then it was not worth the trouble of the search. This mass was formed into obtuse pointed cones, about as large as a tea-saucer, and fried in a little, very little butter. Each plum-gudgeon sold for a penny, and made a very decent mess for breakfast. Freco was a stew, made of the marrow and fat of bones, boiled out, with a few small pieces of meat and some potatoes, and thickened with barley; water being, by an almost infinite degree, the predominant ingredient. When well and cleanly made, it was not unpalatable, and a pint might be bought for two pence. Lobscouse was a thicker stew, made with a larger proportion of meat, part of which had been salted, and it sold at about double the price of freco. Burgoo is, I believe, better known; it is a hasty-pudding made of oat-meal, and eaten with butter or molasses, called, in Dartmoor, "trickles" a corruption of treacle. Coffee, or rather a pretty good substitute for it, was made from burnt peas, or burnt crusts of bread; and as it required little capital, besides a kettle and a tin-pot, to set up a coffee-merchant, and as the beverage was much in demand, it was the occupation, and a thriving one, too, of a great many of the prisoners. One might see the fires of the coffee-makers all round the yards as soon as the doors were open in the morning; but some of them, whose customers expected an earlier supply, had little furnaces in the prisons, with pipes to convey the smoke through the windows.

There was a good deal of money circulating in the prisons. I have already observed, that each prisoner received two-pence-half-penny per day from our own government; this to nearly six thousand prisoners, would give a circulation of nearly nine thousand dollars per month; to this is to be added the prize money and wages—paid to men who were discharged from British men-of-war, as American seamen, and sent to Dartmoor as prisoners of war, and the aggregate amount would not be far from double that sum. But then it was soon pretty equally distributed, for Jack is not renowned for saving or accumulating; and it was very much as Dr. Johnson said of learning in Scotland, "like bread in a besieged town, every man had a mouthfull, but no man a bellyfull." To this remark there were some exceptions; for the beer-sellers, where the trade was free, made money; so did some of the shop-keepers. Some of the prisoners were connected with wealthy families at home, and had

money remitted to them; and some few of the discharged men-of-war's-men had been officers in the service, and had been successful in gaining prize-money. I knew one man who had been a boatswain, who was reported to have three thousand pounds; and another, who had been a master's mate, who had more than one thousand—but these were rare cases.

I always thought it to be gross injustice in the British government to send these men to prison. They had committed no crime; they had not been taken in war; they had served the government faithfully, most of them long, —some of them so well that they had gained rank in the service, and because they would not fight against their own countrymen they were sent to prison. I am aware of the plea of expediency, that if these men were sent home they would have manned our ships, and carrying with them the arts they had learned in the British service, would have proved efficient and formidable enemies. But necessity and expediency are the pleas of tyranny, wrong and injustice, all the world over; and if nations are ever brought to judgment and retribution, the black sin of Great Britain, in this case, will be added to the catalogue of her wrongs to Hindostan and Ireland.

I remember, when I was a boy, that there was a great deal of discussion going on in the newspapers in relation to the number of impressed American seamen in the British navy. An eminent and worthy citizen of Massachusetts, who figured much in politics, and who had held high offices in the state, was led astray so far from truth as to report that only a small number, (I forget how small, but I think less than a hundred,) had ever been impressed. Now the fact was, that there were in Dartmoor twenty-three hundred and fifty men who had been discharged from the British navy as Americans, most of whom had been impressed. I do not believe that all these men were Americans; some I *know* were not; but then, the proportion of them being British subjects, who had been able to pass themselves off as Americans, was comparatively small; and as every man-of-war, on board which I was a prisoner, had among its crew more or fewer Americans, who had not been discharged, I think it cannot be far from the truth to say, that there were, when the war commenced in 1812, more than *three thousand impressed Americans* in the British navy.

But to return to the shops, which were various in Dartmoor. They were kept in the mess-births; the dinner-table, when not in use for dinner, being paraded in front, as a counter, and furnished with various commodities for sale. The cook-shops I have already noticed; then there were the beer-shops; shops for the sale of articles of prison manufacture, such as mimic ships, neatly built of bone, straw hats, shoes made of list and canvass, toys of various kinds, &c.; coffee shops, and green-grocers' shops, where were sold vegetables. But the most common were the grocery-shops, in which were sold glasses of rum, pipes, ha'penny-worths of tobacco, butter, snuff, tea, coffee, trickle, &c. These were eminently *retail* shops, in the sense of a shop-keeper nearer home, who said, "he had relinquished the retail trade—he no longer cut candles nor split crackers." But they would cut candles, split crackers, halve a glass of rum, or accommodate you in any way, according to your means, in Dartmoor.

When I first went there, I wished to turn an honest penny, and employ my time, and I connected myself in business as a grocer with my little messmate. We procured our stock in trade of a Tavistock grocer, on the usual credit of twenty days; that being ample time, if trade was good, to turn such a stock as was usually employed. My partner was about my equal in size, much more than my equal in years, and almost infinitely my superior in knowledge of the world; so he was the head of the concern and the out-door partner. I had by this time become pretty well able to bear *confinement*; so I was the indoor partner and salesman.

With much self-complacency, after the arrangement as to credit had been effected and the stock procured, I arrayed and set in order the shop. The counter was arranged—here was a bottle of rum; in juxta-position, bearing it loving company, was a wine-glass, with the impress of antiquity very legible on its surface, but being withal marvellously little of its age. There might be seen the little lump of butter, melting

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and tender as the heart of a young damsel of sweet sixteen; hard by the ha'penny-worths of tobacco, redolent of the aromatic perfumes of the land of hominy and hoe-cakes—of double-shuffle and kite-foot; and then, casting your glance a little onward, you might have seen the odoriferous herb of China, or the aromatic berry from the sunny isles of slavery and sugar-canes; here were pipes, and there was snuff; here a keg of *trickle*, and there a sack of potatoes; while, to crown the scene, joint-monarch of all he surveyed, stood a dapper little shop-man, five feet and two inches high, as his protection testified, his mouth screwed up to a smile which his heart belied, as alert and ready to wait on customers as any knight of the yard-stick on Washington or Hanover streets, but presenting a forcible and mortifying contrast in the habiliments of his outward man.

Trade prospered; customers came and bought, and drank, and cut and came again. Our stock diminished daily;—the time came round when our Tavistock creditor expected payment. My partner had been the cashier. I asked him for the needful to keep our credit good;—he rummaged his pockets, he searched his trunks, he cogitated and ruminated—but all in vain; the cash was not forthcoming—it was gone—(a sheriff's return would have said, *non est inventus*,)—where I never knew; but I always looked upon the gaming-tables of No. 4 with a painful feeling of suspicion. We were bankrupts—our credit prostrated, and our shop abandoned.

It would do no good to disclose to my readers my feelings or my subsequent resources; but the Tavistock grocer was paid, and my partner was innocent of the payment.

By our bankruptcy a rival shop-keeper of our neighborhood flourished; he succeeded to our custom, and drove a thriving business in the sale of his commodities. During one of the annoying suspensions of the market, when he could replenish his stock in no other way, he made an agreement with a soldier to smuggle into the prison sundry articles for the supply of his shop, to the value of two or three pounds. They agreed upon a countersign by which they would know each other in the dark. The shop-keeper incautiously mentioned the agreement, and it became known to some of a gang of thieves, with which the prisons were infested. At the night agreed upon they forestalled the shop-keeper, and placed themselves at the window. The soldier came and gave the countersign; and it being answered correctly, he, without any suspicion, passed in the articles. On requesting his pay, they derided and insulted him. The poor soldier was in despair; he had not the means of making good to him of whom he had procured the articles the price of them; and the man threatened to expose him to his officer unless he furnished the payment. The shop-keeper would not pay him, although it was through his indiscretion that he was defrauded. It was of no use to attempt to hunt out the thieves; and even if they had been recognized, he could have obtained nothing from them. He, therefore, made the case known to some in our neighborhood, when we immediately opened a subscription-paper for the benefit of the poor soldier, and in a short time an amount larger than what he had been defrauded of was raised and paid over to him.

In a bay near us messed six men, whose various employments will give the reader part of a miniature view of the great world at Dartmoor. One had been a tailor at home, and he now plied his needle and shears with as much assiduity as he was wont to do in the county of old York, in Maine.—It seemed to be here a very good trade, too; for he was always diligently engaged in making or repairing. One had been an extensive brewer in Boston—had failed—tried his luck at privateering, and was captured. In prison he turned, as we termed him, a washer-woman, took in clothes to wash, and seemed to be as happy over his tub as he ever was over his brewing-kettle. Two were partners in the coffee-making business. They had a small furnace to burn charcoal, which, in good weather, they used in the yard, but when it was stormy they attached to it a pipe, projecting through the window to lead off the smoke; over this furnace they roasted their peas or crusts of bread, and boiled their kettle; and they drove a pretty thrifty business. Another was engaged in ship-building. He was an expert mechanic, and from

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wood or bone he would fashion you a tiny ship, complete even to the most minute particular. The other was a grease-collector. He had an establishment in one corner of the yard, where, after collecting from the various messes, and from the cook-houses, all the bones he could, he would pound them up and boil them in a kettle with some water, and skim off the grease or marrow, which was in great estimation and demand for many culinary purposes.—This was one of the pattern messes of No. 7, for thrift and industry.

Opposite to us was a mess of Spaniards. I have often been amused of an evening, while reclining in my hammock, by viewing this mess. It was their invariable practice, as soon as the prisons were locked up for the night, to gather round their table. They had an odd-looking pack of cards, and the games they played with them were incomprehensible to me. They would place a large bowl on the table, into which they would put a glass or two of rum, and set fire to it, from the flame of burning paper. After burning a few minutes, they would blow out the flame, put in some sugar, then plentifully dilute the compound with water, and this bowl of very weak grog or punch, would serve for the whole mess till far into the witching time of night. One, or at most two, segarillos, (that is, tobacco chopped fine, and rolled up in a paper wrapper, from which one would take a whiff and then pass it round to his next neighbor, and so on, until it had gone the circle,) would suffice them for the sitting. Thus, with cards and conversation, and an occasional song, with the accompaniment of an old guitar, these men passed away the leaden hours of their captivity, without intercourse with any one but themselves; for I believe that neither of them could speak much, if any English. How these men came here, I know not; but I presume they were captured in some American vessels, and, of course, were considered as Americans; and that by the natural affinity of country, language, tastes, and customs, they had gathered into a mess at Dartmoor. I was often struck with their quiet and subdued manner, so different from the rude and boisterous one of the Americans; with the grace and politeness with which they treated each other, in all their intercourse one with another, so different from the rudely familiar deportment of the fun-loving Yankee sailor; and with their temperate habits, so different, so widely different from that of the generality of the Dartmoor messes.

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## HYMN.

BY CALEB CUSHING.

We praise thee, God, when morning's ray
In orient skies begins to shine,
And once again returning day
Wakes on this glorious world of thine.

We praise thee, God, whose mighty hand,
Supreme in love, supreme in power,
Rolls on the sun from land to land,
To light and glad each fleeting hour.

We praise thee, God, at evening tide,
With all the starry hosts on high,
Which beam, as if thy throne beside,
To hymn thy greatness through the sky.

At morn, at noon, at eve, we praise
Thy might and grace on bended knee,
And hearts of grateful joy still raise,
Creator, Savior, God, to thee.

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# ROSAS.

When, thirty years ago, the colonies of South America began to break the decayed yoke of Spain, and like us of the North, struck for *liberty* as well as independence; when they made Washington their watch-word, and the light of this northern constellation their guide, and our success the guaranty of their hopes, no wonder that our sympathies were strongly stirred. We saw that, notwithstanding the terrific explosion of the French Revolution, each one of the new-born states came into life instinct with aspirations for free government, and we rejoiced to contemplate in the future a continent of free republics, offsetting, with their prosperity, power and happiness, the thraldom and misery in which the old hemisphere was held.

But when we looked to see the new nations easily and peacefully organize their governments, and commence their career in the path we had so easily trod, we only saw and sadly learned that the work of building new and stable systems was quite another thing from destroying old and decayed ones. Unlike the colonies of North America, a long term of slavery preceded the emancipation of those of the South, and the art of self-government, in its simplest rudiments, was yet to be acquired. Rich mines, mild climates and fruitful soils had enervated the temperament of the people, and a warm sun had destroyed the equilibrium between passion and reason. Independence was established only to be followed by civil commotions, and liberty became confusion and crime. Revolution followed revolution, bringing no fruits but blood and distress. Generals and dictators, presidents and governors, juntas, constitutions, systems, "plans" and "pronunciamentos," came, changed, and went again, like clouds in a disturbed sky. And the most sanguine friend of human liberty could only wait and hope, that through experience and suffering, with much tribulation, the unhappy people would in some way, and at some time, accomplish their deliverance; and under some system suited to their conditions and needs, the tormented nations at last find rest.

Thus have passed thirty years of almost ceaseless struggle, with so little to encourage the hopes of their well-wishers, that most of us turn with pain from each fresh account of new revolutions and wars among them, and have almost ceased to feel any interest in their affairs.

But look again: thirty years, the time of a generation, though long in the life of a man, is little in the life of a nation; and if we will but hopefully turn our eyes to the southern horizon, we may now see that something has been achieved. It is something that those people, in all their sore agony, have never yet lost their instinct for freedom or their hopes of achieving it; something that, in despair, they have never yet called on the name of a king for deliverance; something that, finally discarding the centralizing systems of the republican theorists of Europe, they are generally adopting the principle of federations to which confessedly we owe our own happy success, and are laying the foundations of solid national fabrics, by first organizing and perfecting the parts; and it is something that several of the states now give signs of having at last acquired stability and prosperity under liberal institutions.

As might be expected by those holding the common opinions of the effect upon national character of geographical position, the earliest proofs of improvement are seen in the countries within the temperate zone; and Chili, the farthest south, is the farthest advanced in stability of government. The next is the Argentine Confederation.

If Plato had looked over the whole earth for a land where to found his ideal republic, or Sir Thomas More for a location for his Utopia, either of them might well have chosen the fair country of La Plata. Its area of nine hundred thousand square miles—greater than the extent of France, Germany and Spain combined—occupies the most and the best of the region of the southern temperate zone, and stretches from the tropic of Capricorn to forty degrees of south latitude. The surface, though

mostly level, has yet a sufficient alternation of hilly and mountainous districts, and nearly all of it, without the hand of man, sustains immense herds of cattle and horses, and when tilled, yields abundantly the best productions of both torrid and temperate zones, without either manure, labor or skill. Through this there runs the noble La Plata and its noble branches, and pervading all is a serene sky and an air healthy and pure. For inheritors of this delightful land there are one million of the best specimens of our race in all Spanish America; pure Castillians by descent. The men of commanding stature, athletic, vigorous and brave; the women so graceful, and fair and beautiful, as to excel, as all travellers confess, even the dames of old Castile. The Gothic-Castillian race, in their second great migration, plunging through the regions of equatorial heat, and arriving at such a country as this, could hardly be less in their physical character. For their moral natures, behold the causes that have been operating upon them!

They have never felt that impulse to exertion and industry which comes from a barren soil and ungenial climate. In their infancy as a people, during the long years of their colonial condition, the despotic government and illiberal policy of their mother country was every way such as to retard growth and advancement. By prohibitions on manufactures, imposed to keep them in dependence; by forbidding the exportation of their products in any but Spanish-owned vessels; by effectually excluding from all public posts the natives of the country; by swarms of rapacious officials, and swarms of dissolute priests, sent over to consume the substance of the people, and set them an example of indolence, luxury and vice; by extreme taxation; by permitting the devastating inroads of the Indians, which an inert and enervated Spanish soldiery either could not or would not prevent; by all these means, in that important season of their growth, did Spain endeavor to repress industry and the arts; to exclude the natives from commerce; to crush their ambition; to check their advancement, in either numbers, wealth or civilization; to corrupt their morals, destroy their energy, and break their spirit. But in spite of all these influences, the English account of them, given before their independence—English travellers never flatter—represent them as, though by bad government discouraged and melancholy, yet "possessing the germs of eminent good qualities."

In the wars of independence, the Vice-Royalty of Buenos Ayres was the first to strike and the first to conquer. In 1817 the provinces of which it was composed, and which now form the Argentine Confederation, joining together under the name of the "United States of South America," set themselves about the serious work of organization; in attempting which, as from their education might have been foreseen, they were smitten with the "gift of tongues" which afflicted the builders of Babel, and fell into deplorable confusion. Innumerable theoretical constitutions, of every fanciful variety, some of them imported ready-made from Europe, and others the fresh product of native imagination—none alike, except in the feature of centralism and the quality of being entirely unfitted for the people they were designed for—were, one after another, hurriedly set up, to be as hurriedly thrown down. One aspiring leader succeeded another, each to be deposed, banished or shot; and there were presidents of a month, of a week, and of a day. Neglect and abuse of course prevailed in every branch of the public administration. A loan of seven hundred thousand pounds sterling was raised abroad at a ruinous discount, only to be sunk at home by investment in founding a national bank, which added to their other troubles the multifarious curse of a depreciated paper currency. So weak was the government that it was afraid to punish for crimes; nor did some of the deputies scruple to confess that it was better to let offences go unpunished, than for the authorities to make attempts which could only show their weakness and provoke the wrath of the malefactors. Robbery and murder were being incorporated into the "manners and customs" of the people, and the government was only felt in its *own* particular murders, robberies and extortions. And then the unorganized and unprotected country districts became a prey to the hostile Indian tribes, who laid waste the plantations of the few agriculturists, drove off the cattle from the *pampas*, sacked and destroyed the

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settlements, slaughtered thousands, and carried away other thousands into captivity, and came with devastation and terror even to the gates of Buenos Ayres. And the savages from the forest and the desert seemed coming to reclaim their ancient wild dominion in the land.

To this bad pass did things come in all the parts of the present confederation; and of none is the story more terribly true than of the principal province of Buenos Ayres, with its city and large territory, holding a population equal to perhaps one-half of all the others. It is of this province especially that there are now to be mentioned some remarkable changes, whose effects, however, have spread to a large extent over the others also.

In Buenos Ayres the government has now remained stable for more than ten years, and sustaining the utmost regularity in all its departments. The plundering of the treasury has ceased, and for all that time there has been established a system of public finance under which not one cent has been embezzled or lost. Economy has taken the place of extravagance, and its effects are, that though the taxes are wonderfully light, every public employee, civil or military, is promptly paid; and, while sustaining a foreign war, two monthly instalments of five thousand Spanish dollars each, one as an indemnity to France, and the other for interest on the foolishly-contracted foreign debt, have been undertaken and regularly met, while at the same time the principal of another foreign debt is being rapidly reduced. Efficient laws, by whose operation detection and punishment follow the offence as quickly and certainly as lightning follows the thunder-clap, extend as thoroughly through every alley of the close city, as over every league of the wide and sparsely inhabited plains of the interior. Throughout the whole province order and peace prevails; and than Buenos Ayres, with its hundred thousand souls of every country and character, there is not a better ordered city in all Christendom. Under the shadow of a well-guaranteed security, commerce extends and flourishes. Foreign merchants reside in the city, and transact their business with as certain a protection in every right as they could possibly have at home, and enjoy far larger privileges than in their own countries are allowed to aliens. And in all the ferment of popular excitement justly arising from the injuries and insults of England and France, of Englishmen and Frenchmen, not one of these merchants can say that he has been injured in his person or purse. The hostile Indians have long ago been swept from the plains, or reduced to quiet. The fertile fields, from which industry was driven, again feel the effects of tillage. Agriculture is extending in all directions still farther into the country, and subduing alike the wild soil of the *pampas* and the fierce natures of their inhabitants. Under the well-enforced and evenly-executed laws, the peaceful arts progress, population extends and wonderfully increases, wealth increases, and security, order, progress and happiness have taken the place of anarchy, violence, crime, depopulation and retrogression.

And this miracle has been worked by one head — one hand — one name —

## ROSAS.

The people of South America are what they are, and not other than what they are. To judge of them and their affairs, their actual condition, their natures and their wants must be learned, and well borne in mind. The interior country of the Argentines has had a peculiar influence upon their civilization. Civilization ordinarily progresses by concentration of population. Here a vast extent of level country, offering in all parts nearly equal advantages of pasturage, operated inevitably to scatter the few inhabitants over its whole surface, where, living on their large herds, with their few wants well supplied, they learned to love the life they follow, and to neglect and despise the softening arts of tillage. Here we have one step backwards towards the first estate of the original Visigoth. The name of *Guacho*, which they have given themselves, and which is taken from the chance product of an uncared-for ostrich egg, is one well expressive of their condition and habits. The vast body of them are herdsmen, living, like the Tartars, on horseback, eating flesh without bread, not depressed by poverty or fear, little tempered by arts or agriculture, but roving, free, independent, warlike and wild.

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To govern such a people required something more than a constitution drawn up in Paris, *á la mode* the Abbé Sieyes, or written in London by Jeremy Bentham. To organize in a state the wanderers of the trackless and illimitable *pampas*, needed something different from any of those centralizing schemes, imported untried from Europe, and something more than the flowery and unintelligible orations of the Central President, Rivadavice. All those follies, again and again tried, had ridiculously failed. A thousand political philosophers and statesmen, such as easily administer the governments of other states of the world, would have found all their tactics, when exercised on a population like this, as futile as whistling to the winds. It needed a man truly a South American, well knowing the country, the people and the times; born of the country and the times — a child of the soil, a man of the people. The times called for one with a strong head, and hand, and will—such a ruler as the people to whom he is sent always recognized and received. Such an one in La Plata would have been JACKSON; and Rosas *is* the Jackson of the South. Differently constituted than he is, he would have been unfit for his task; differently acting than he has, he would wholly have failed; and had he failed, his people must now have been fast declining into savageism, and his country into a wilderness. If the broad and beautiful region of the earth he is now redeeming from ruin *is* to be redeemed, it is by the man Rosas.

JUAN M. DE ROSAS, though born in the city, has passed most of his life in the country, where, by his own energies, he early accumulated a large fortune. Until 1828, when he first was drawn into political life, he resided on his *estanchia*, devoting himself to agriculture, taking no part in the political commotions, and only ambitious to be useful to the country people around him. To protect them from the inroads of the Indians, he organized the *Guachos* into a rude militia force, and himself led them with great success against the savages.

Seeing, in the promotion of agriculture, the only sure means to correct the vagrant habits of the people, to moderate their turbulence, to harmonize and accustom them to quietness and stability, he exerted himself to have a law passed prohibiting the importation of foreign grain. By his upright character, (for which he was often made umpire in their disputes,) by the interest he manifested in their welfare, and by his courage and ability displayed against the Indians, he gained a wide popularity among the Guachos, for which he was appointed commander-in-chief of the country districts. It was while holding this post, that, in the rebellion of Lavalle, in 1828, Governor Dorrego, flying from the capital, sought the protection of Rosas. The irregular militia of his command, without arms, were but illy fitted to meet the veterans of the Brazilian war, whom Lavalle led against them. Disregarding the advice of Rosas, which was to avoid an immediate engagement, and by a war of resources worry their opponents, while time was being gained to better furnish and drill the country troops, Dorrego insisted on giving battle, and was defeated, taken prisoner, and inhumanly killed. Rosas persisted, raised more troops, skillfully manœuvred, and finally ended the war by defeating Lavalle, and annihilating his power. Having accomplished which, and restored the laws, Rosas dismissed his large army and retired to his farm, from which, however, he was presently called to take the head of public affairs. In 1829 he was duly chosen Governor of the Province of Buenos Ayres, for the term of three years, and invested with extraordinary powers.

Order had been restored in that province, but not in the other parts of the present Confederation. The *Unitarians*, the advocates of the central system, with whom were joined all those interested in promoting disturbance, all enemies of order and outlaws, were restless and ceaseless in promoting revolutions in whatever province they could gain a foot-hold. These are the men who, when defeated at every point, and rooted out from every part of the Confederacy, finally found refuge in the Banda Oriental, and have since been at the bottom of all the troubles there. For nearly all of his term the governor was engaged in the work of pacifying the provinces; which, being done, and the rightful authorities everywhere established, he returned to

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Buenos Ayres, and entered the capital, there to employ the few remaining months in correcting the abuses that so rankly prevailed, and in devising measures for the general welfare.

Having, in this short space of three years, extinguished civil war in all the provinces;—having perfected the federal league between them, and assisted to establish well-organized governments in all;—having obtained for his country the first sunlight of prosperity and peace that had dawned upon it since its independent existence—Rosas surrendered into the hands of the Legislature the extraordinary powers he had received from them, and retired from the government. General Balcarce was elected to succeed him.

Rosas now indulged the hope that, with the advantages he had procured for his countrymen, the regular constitutional government, once firmly started, whold prove sufficiently stable and strong, and be able to reconcile security and order with mild laws and the exercise of limited powers; and resting on this hope, he turned his attention to the next mode of efficiently serving his country. He had become aware that further efforts were needed to forever end the annoyances of the Indians, whose incursions had laid waste all the pioneer settlements, and were fatally checking the progress of agriculture; and finding here his sphere of usefulness, he entered into it with all his energy, and with his usual success. He bent himself to organize an expedition on a large scale. At his summons, the stalwart *Guachos* flocked around him, as readily as ever the riflemen of Kentucky and Tennessee to the standard of "Old Hickory." For fifteen months he led them on this enterprise. In that time they swept over an immense tract of country, and carried destruction and terror even into the savage fastnesses beyond the frontier. He amote the savages with terrible blows. Twenty thousand of them were destroyed. It was a bloody and dreadful work. Well, it was thoroughly done, and need not be gone over again. The red men are now no longer feared. They crouch quietly in their lairs beyond the desert, or come to bring voluntary tribute to the power that has mastered them. The agriculturalists advance far into the interior, and there securely cultivate the fertile soil. As a consequence, land has risen to bear a price that was hitherto unheard of in that part of the world.

Returning with three thousand captives rescued from captivity among the Indians, Rosas avoided the triumphal arches and celebrations every where prepared to receive him, dismissed his soldiers with the pass-word—"*Union—Remedio—al Pais*,"—(Union—Remedy—to the Country,)—and quietly took the road to his own home, where he rested, an inactive observer of what followed in the remainder of the term for which Balcarce had been elected.

That magistrate had proved himself unable to work with the weak elements of government with which he was armed, or too dishonest properly to administer any powers. He had joined with a faction unfriendly to Rosas, and sought with them to obtain the whole power. Finding, as the elections of 1833 approached, that the friends of Rosas were too numerous for them, the government arbitrarily declared those elections suspended. A storm of indignation followed this, so great as to compel Balcarce to resign. Viamont, a weak man, was chosen in his place; but he, after a few months of fruitless endeavor to effect a fusion of factions, was compelled also to retire, which he did in June, 1834. After electing successively from distinguished citizens, each of whom, frightened at the aspect of affairs, declined the hopeless and thankless task, the representatives at length, in September of the same year, provisionally conferred the executive power on the president of their own body.

In the confusion of the affairs of the principal provinces, the Unitarians again raised their head in a series of outbreaks in various parts of the Confederation, overthrowing governments, murdering magistrates, plundering property and suspending the laws. Anarchy reigned on all sides, and the whole nation was fast falling back into its former wretched state.

The name of Rosas was the only spell of power with the people; and to him the province and the nation, during the two years in which these disorders prevailed, again and again turned, and called on him to do what he had done for them before. Five times he

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was tendered the presidency under a national constitution, and five times he refused it. To their repeated entreaties he gave only steady refusals, and remained obstinately in retirement.—Not this alone, but he resigned his command of the country districts, as well as every other office he held, including that of representative to the legislature, to which he had been unanimously chosen; and all of his friends who remained in office followed the example. It seemed as if he wanted to learn, by letting events take their course, whether the government, as then constituted, was sufficient to perform the governmental functions over the people, as then circumstanced, and in case no hope of success appeared, to let all the rest fairly see and thoroughly know the necessity of something different. After he had well made up his mind on the change that was wanted, and the people themselves became also satisfied of their needs, upon being again importuned by the legislature to come to their assistance, he frankly told them and his countrymen that, to do them any good, he must, for a time, be allowed larger powers than had yet been delegated—though not larger than had been usurped—and made the concession of such powers the condition of his taking the helm. To make clean work of it, the representatives voted him "*the sum of the public power*," with only the reservation that the religion of the state should be protected and the cause of Federation sustained. He still delayed, and would not assume this authority until the vote of the Assembly had been re-considered and renewed, and until the proposition had received the further and extraordinary sanction of the suffrages of all the inhabitants of the city, without distinction of class or condition.

On entering on his duties, he requested the legislature, though dissolved by its own vote, to continue its functions; and he also abstained from assuming the judicial power; so that, down to this time, (with, it is thought, only a short exceptional period in the reign of terror, in 1840,) the regular tribunals have administered justice, according to the fundamental traditions and organic laws of the land, with regularity, and, it is said, with impartiality. But who shall judge judges?

With these qualifications of absolute power, we behold Rosas, in 1835, taking hold of the government as DICTATOR. That is the word—his eulogists can claim for him no middle title—they do not need to do so. It was a revolutionary power, created in revolutionary times. To grant it, the constitution had to be suspended; but of what avail was a constitution when the *laws* were already overthrown?

As Governor of Buenos Ayres, he became charged with the foreign affairs of the Argentine Confederation; but, of course, the dictatorial power was confined within the limits of his own province.

At his accession there was an abundance of work ripe for his hands; abundance of field for the use of extraordinary power; abundance of civil commotion in the sister provinces, of confusion in the administration of his own; of crimes, disorders and treason in all. The heavy labor of 1829 was to be done again, with enough more added to it. Beginning in good earnest to mend matters, he first called to office the tried and faithful friends of his first administration. He dismissed all those persons "of the highest distinction," who had made peculation of the public money the means of supporting their private extravagance and very respectable rank, and supplied their places with men of humbler condition, in whose business capacity he could confide, and of whose honesty he made double assurance; firstly, by personally overseeing their doings, and secondly, by compelling the *daily* publication of every item of their accounts. For its extent, there is hardly in the world a system of finance so perfect in its operations as that which he contrived.—He reformed the corrupted public bank. He established again absolute obedience to the laws throughout city and country, and, in the army, a discipline so perfect, that the least insubordination was unknown. He organized a police, by whose means he is informed of every crime in the wildest and farthest part of the country, and by which he is able to boast, that if a thief should hide in the belly of a mare it could not conceal him. He has encouraged emigration from the Basque Provinces of Spain and France; and, under his protection, and with the example and teach-

ings of these industrious emigrants, who are mostly tillers of the soil, the country has, in the last year, produced all the grain wanted for its own consumption. The herdsman knows that his *mark* will be respected, and his herds protected from cattle-thieves, and plundering armies, and maraunding Indians. As results of these stimulants to industry, taxes have been light, and the government has had to impede national voluntary subscriptions, the free-will offerings of the people in aid of its regular income.

Rosas called again to the field the Guacho troops, now become a formidable veteran force; and, after bringing to justice the assassins of Quiroga, who had been barbarously murdered while on a mission of reconciliation and peace, he proceeded to quell all the irruptions of the Unitarians, and the civil disorders they had instigated. As he drove these Unitarians, one by one, from their positions, gradually reducing them to the condition of wanderers and cattle thieves, they became exasperated and reckless. They plundered wherever they came, and killed by hundreds men, women and children. Hopeless and homeless, the so-called armies of the Unitarians committed every conceivable atrocity; characterized themselves with every essential of banditti, and earned, far more than they received, the treatment due to such. Nevertheless, Rosas did repeatedly show them mercy and magnanimity; for which he was repaid in a way to discourage a saint.

With all these aching evils to be cured; with all manner of ingratitude and perversity to irritate him; assailed by a systematic calumny to embitter his temper; leading an army, each man of whom was burning with the remembrance of wrongs endured, or of wife, children, or friends, to be revenged; contending with an implacable party-spirit that raged on both sides, Rosas, in these wars, showed all the temperateness that was human. In the difficult task of rooting out the disturbers, he *did* shed some blood—and no other liquid would have answered the end.

In the last part of the term for which, in 1835, Rosas was elected, there happened events which tested to the backbone his abilities, his popularity, the sufficiency of his government, and the spirit of his people.

The able General Santa Cruz, who had made himself master of Bolivia and Peru at the solicitations of the refugee Unitarians, and seduced by a thirst for extending his dominions, was assisting to overthrow the Argentine provinces of Tucuman and Salta. To resist this, Rosas was compelled to maintain a war against Bolivia and Peru. Favored by this last, the Unitarians made various other attempts in different provinces. At the same time, France was blockading Buenos Ayres, burning the merchant-vessels in the harbor, and waging, outright, war by sea and land. The Republic of Uruguay had long been the hot-bed of the machinations of the refugees, the banished and the outlawed; and now, aided by the French, Riviera, a bitter enemy to Rosas, usurped the government of that state, dispersed the legislature, forcibly suspended the constitution, and drove Oribe, the rightful president, to resign and fly. Riviera believing that, with such odds against him, the destruction of his enemy was at hand, combined with Santa Cruz, assisted Lavalle in Corrientes, and finally, while the blockade was still pending, and while the army of Rosas was engaged at a distance, declared war, and invaded the Argentine territory. At war with three different nations—invaded on two sides by their large armies, savagely assailed by France from without, and with civil war, *a guerra a cuchillo* raging within—Lavalle, his deadly foe, leading a powerful force, flushed with their triumphs in Corrientes, up to the very city gates—the army away in the interior—several reverses to depress the people's spirit—a final, and an utmost test was not wanting; and a conspiracy, embracing four thousand citizens, many of them of distinction, was organized in the heart of the city.

Truly here was a troublesome position for a Quaker, or non-resistant!

About seventy of the principal contrivers "departed this life" rather suddenly and summarily—and the conspiracy was ended. This blow not only quelled this and prevented other conspiracies, but by dispensing with a judicial investigation, the dangerous effects of the public exposure of the names of the remainder, (all known to Rosas,)

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were avoided, and their lives and services saved to their families and the state. At the sacrifice of unjust and arrogant pretensions, France concluded a peace. Santa Cruz was foiled at all points, and his forces driven out of the country. La Madrid, Lopez and Paz were all defeated and forced into exile, and order restored in the revolutionized provinces. The invading army of Uruguay, after successive severe engagements, was finally routed; Lavalle, the assassin of Governor Dorrego, was taken and shot, and Uruguay was, in her turn, invaded.

Since these events the Argentine territory has been relieved from the presence of disturbance and war, and the nation has rapidly progressed in internal prosperity, down to the time of the present "intervention" of those two "great powers,"—great enough to be ashamed of themselves. During this time Don Manuel Oribe, assisted by an Argentine army, has been contending for supremacy in the Oriental Republic with Riviera, a half-breed Indian, whose force was at length destroyed at Arroyo Grande in 1843, and himself forced to take refuge in Brazil, where he has been employing his leisure in fomenting risings against that empire. About three thousand French inhabitants of Montevideo, of the poorer classes, acting in disobedience to the often-expressed commands of their own sovereign, but instigated, deluded and sustained by the arts and gold of some English merchants or traffickers in lands, loans and customs, of that species which have long fattened on the revolutions, the miseries and the blood of South America, and protected and countenanced by the British naval commander, have taken up arms to defend that city. They have protracted the siege long after the whole of the rest of the republic has come into the possession of Oribe's troops, and long after Oribe has been again regularly elected president, and a constitutional government again organized, and until the number of native Orientals in the barracks of the garrison has been reduced to some one or two hundred. These Frenchmen have been able to do this only by means of the shameful refusal of Admiral Purvis to acknowledge the blockade of the port, and the supplies for war and subsistence forcibly furnished them by the English residents and the English fleet. Finally, as the exhausted city is on the point of capitulating on terms guaranteeing life and property to all Frenchmen, the wound is again opened, and the whole Banda Oriental bleeds anew—all by the bloody doings of the "great pacificators," who come, as they say, on an errand of mercy.

Of that most unrighteous intervention it is not here proposed to say anything. Its pretensions and its objects have been already too well discussed in this review. Let us now leave Rosas at the climax of his glory or his ruin, baring his breast to a conflict with the two mammoth nations that are making war upon him, and, before yielding the interests or the rights of his state, preparing to abandon the city, and with his veteran *Guacho* horsemen, to make stand upon each and every, the first and the last inch of the beautiful plains of the broad territory of La Plata. Whether triumphant or overthrown, nothing is wanting to ensure the fame of the man who has done the good work that he has done, and who, in the circumstances of 1840, braved through every danger and overcame every difficulty, and came out of that tempest of troubles without yielding to domestic treason, or humbling himself to his proud European foe, and without asking for peace of either of his continental enemies, or desisting from war till he had destroyed them all.

The man whose chief duty has been to crush the hopes of so many of those military aspirants, who derive their only consideration from the parts they play in the South American revolutions; who has deprived of their prey the harpies that fattened on the public plunder; who has rooted out and flung from the state the hordes of the clamorous and seditious, engendered in half a generation's time of civil turmoil—and who has done all this with a strong hand and an unconciliating spirit—he will never want for calumniators, or find his enemies few or silent. The bordering countries of Bolivia, Brazil and Uruguay, have received the swarms of the disappointed, the defeated, the restless, the riotous and criminal. Others have gone to England and France. Their strong-hold has been in Uruguay, where they have never ceased their endeavors to overthrow the government of their own country, in hopes

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of returning to enjoy there the consideration and the profit of which their exile deprives them. It is for this reason that Rosas has been so pertinacious in aiding to establish in Uruguay the ascendancy of Oribe and his party. But he never has aimed to control that state, or interfere in its affairs further than was necessary to secure the safety of his own country, although the unprovoked invasion by Uruguay fully justified an absolute conquest. While those who are the friends of Rosas, the body of the Argentine people, remain at their homes, enjoying the blessings he has so largely secured to them, his enemies, whom he has expelled, throng to those foreign countries, where they fill the public ear with the noise of their complaints. The chief means by which the French garrison at Montevideo were so long kept in arms and driven to carry their defence to such desperate lengths, have consisted in a well-continued system of *terrorism*, sedulously kept up by those who have made use of their arms to defend themselves in a desperate position, where they no longer have the support of the native inhabitants of the country. For the purpose of procuring the present intervention, emissaries were long employed in France, England and Brazil, and who labored to persuade the people of those nations that Rosas was a sanguinary tyrant, and an assassin of the most fabulous sort, and that all the savageism in the civil wars was on the side of the supporters of law, thus to act on the governments through the public feeling. Behold, then, a sufficient reason why Rosas should have received anything but exact justice by the mouth of public opinion in those countries, and in ours, which has received its tone so much from European channels of intelligence. Behold, also, enough to shake our credulity in reports, which there is so strong an interest to fabricate. At a time when the Argentine people are calling for at least our sympathy in their present noble struggle against an European combination for the regulation of American affairs; when London and Madrid are taking sweet counsel together about the creating a monarchy in Mexico; when, if *ever*, we should feel that there is a link of some sort or other that does, or should bind together the nations of this continent, efforts will be abundantly made to deaden our ears to the call of that deeply-injured nation, by stuffing them with stories against the man who sustains that nation's cause. And for this end we must expect to have republished and retailed here, all the ridiculous and horrific fables that have been manufactured for, or invented by, the terror-stricken populace of Montevideo, and long since carried to France, and spread and exploded there. There have been recently published here a few of these Jack-the-Giant-Killer tales, wherein it has been undertaken to convince the public that the Europeans have the right of the question, (about which it is assumed our own diplomatists know nothing at all,) and that Rosas is a veritable Ogre, who fattens on human flesh and blood. Some of them have gone so far as to invade the privacy of Rosas' family, and to tell us how his daughter, the lovely and good DONA MANUELITA, *the Guardian Angel of the city and of the house*, is no better than a greedy Ogress, and serves up for us the stale dish of the pickled ears, once adorning the head of a Colonel Borda, which the Dona, it is reported, keeps in a glass-case in her drawing-room, and shows to all her friends. Pshaw! we can tell a *rider* to that story of the ears. It is every whit as true, and as currently told and seriously believed across the water, that at Buenos Ayres, in the very dwelling of Governor Rosas, there is a manufactory, on a large scale, of *whips made of human hides!* We are informed of the portrait of the Dictator being drawn in a triumphal car through the streets of the city, amid the shouts of the infatuated populace, (strangely infatuated must they be so to love a *tyrant*,) and receiving from the crowd and the clergy even divine honors. The retailer of this is behind the progress of fiction in that story too. Not the picture, but Rosas himself, is drawn in the triumphal car, by—O scandalous to tell!—*by a "team" of naked women!* while all the foreign ambassadors stand by and applaud the immodest spectacle.

It is to clear away something of the fog which these calumnies have raised, so as to enable citizens of the United States to view in its true light the South American question, unobscured by the

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natural aversion they all have for cruelty and tyranny, that this short sketch has been attempted of undoubtedly the first and the ablest, as he is undoubtedly the most traduced man of all South America. Rosas has never entered on his defence against either such grotesque inventions as have been named, or the more plausible accusations of particular acts of cruelty. It is contrary to the nature of the man to do so. It is not possible for those living at this distance from the scene of events, to examine the testimony pro and con relating to these accusations, were it produced; nor is it necessary. We may and must form our opinions from what he himself seems to rely on—the general tenor of his life, and the broad and undisputed facts which have signalized his career. These will well enough show, that unless human nature in South America presents monstrous anomalies, Rosas *cannot* be the "sanguinary tyrant" his accusers would represent him to us.

Probably it is not far from the truth to assume, that while conducting a long and exasperating civil conflict with men whose mode of warfare was of the most savage sort;—with hordes who murdered, not their prisoners merely, but unresisting women and little children,* he has not deemed his dangerous position and critical times entirely propitious for innovating on the usages of partisan warfare, to the full extent of treating all his enemies according to the customs of the modern Christian civilized nations of Europe, when fighting with modern civilized Christian European nations. Have the generals of those nations uniformly been known to preserve such an one-sided good temper and humanity in carrying on wars against barbarous enemies? † If he has offended against any maxims and usages of warfare, it is against the maxims and usages of other countries, otherwise circumstanced. It is also probably not far from the substantial truth to say, that in the summary executions of 1840, he averted the impending ruin by exercising for a short time, and in a special emergency, the dictatorial power he stood clothed with, to the extent of superseding the regular tribunals of law.

It is possible, too, that the monstrous ingratitude that has repaid his many acts of indubitable magnanimity, may have influenced him to severity in certain cases. It would not be surprising if this were so. That his magnanimity has been ill-repaid, witness the conduct of General Paz, whose justly forfeited life he saved, and whose fortune and position in the army he restored;—of La Madrid, who, when in exile and under condemnation for treason, he supported from his own private purse, and whom he afterwards pardoned, reinstated in command, and sent on an honorable mission, again to betray his trust;—of General Riviera, whose life he also saved and whose purse he replenished—all of them his bitterest enemies. Witness, also, the conduct of General O'Brien, a spy, whom Rosas detected and pardoned, and who is devoting the remainder of his life to machinations in Europe against him from whom he received it. Witness, Indarte, editor of the *Nacional*, at Montevideo, who "gets up" the tales of blood for the frightening of the populace of that city, and who is promulgating in his paper that it were a holy deed to assassinate Rosas, as eight years ago he wrote that it was as holy a deed to kill the two representatives who would not vote to delegate supreme power to the same person. This Indarte, the same who is authority for many idle calumnies put forth here, owes his liberation from a prison, where his forgeries, thefts and sacrilege had brought him, to the clemency of the man whom it is now his vocation to traduce. Besides these individual acts of magnanimity, numberless others might be named less prominent, because their objects were less distinguished. Rosas has furthermore

* General Paz, till lately the commander of the Riviersta forces at Montevideo, and who escaped from there as he saw the case becoming desperate, raised a force of about two thousand men, with whom, favored by the "intervention," he made a descent upon Corrientes, where Lopez, one of his commanders, sacked the town of Santa Fe and murdered all his prisoners—and, indeed, most of the inhabitants, except four hundred women and girls whom they carried off with them. Another one of the Unitarian leaders, in the decline of their cause and fortunes, writing to another of them, advises to kill all that are useless, so as to inspire terror, and, in view of defeat, to extort all that could be had from commerce; adding—"*for you know that we are poor.*"

† The English General Whitlock, when invading the same country, did not scruple to give orders—faithfully executed—that no male of any age should be spared. And yet the Argentines, after having conquered him, gave up upon stipulation all the prisoners they had taken.

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repeatedly proclaimed general amnesties, and always rigorously kept the pledges so given.

This man, Rosas, seems to have no ambition, or if he has, it is as if he had none, for in all his life it has never been known to conflict with the good of his country, or the dictates of duty. He has never *seized* the reins of government, as, since the earliest day when he gained the affections of the *Guachos*, and received the command of the country districts, he has been at all times able to do. He has not made himself Dictator, or said, like Riviera, the *cher amie* of England and France,—"*By my will I am everything, and the rest, including the representatives of the people, are nothing.*" After restoring the laws in 1829, he disbanded the powerful force drawn from all the provinces, at whose head he found himself, and retired to his original post of commander of the country districts of Buenos Ayres; and there he quietly remained, while a temporary governor unsuccessfully essayed to administer affairs, and until he was regularly elected for a three years term. At the end of those three years, he faithfully surrendered the extraordinary powers they had delegated to him, retired from the government, and insisted on declining a re-election. After an absence on his Indian campaign of more than a year, he returns in command of an exercised and enthusiastic soldiery, whom he dismisses to their homes, while he returns to his own, and remains there a mere spectator of the factions that tore the nation at large, and the utter confusion into which the government of his own province had fallen. For two long years of national agony thus did he remain in obstinate retirement, without civil or military office or command of any kind, and with no friends in power to intrigue for his interests; in that time repeatedly declining to be elected to the often vacated office of governor, and five times, and finally, rejecting the tendered dignity of President of the whole Confederation. Knowing very well that, for the good of all, the federative system should remain as it is, he has always refused any higher station than that of a provincial governor. Strange conduct this for a *tyrant!*

It is not his ambition alone that Rosas has sacrificed to his country's good; his attention to public business is close, laborious and absorbing. He applies himself for fourteen hours a day, not in contriving ways to sustain his authority, but in the most minute examination of every branch of the public administration, and to become thoroughly acquainted with everything that happens in the most remote parts of the province. While he wears away his health in thus employing his time and his great energies, he has neglected the interests of his fortune, which he might otherwise have reduplicated, and has hazarded the whole of that fortune for the benefit of the state, by pledging it to the public creditors. And for all his services and sacrifices in the field and cabinet he has always refused to receive compensation or salary in any shape, and draws only on his private purse for the large extraordinary expenditure appropriate to his station.

Nothing is more readily admitted by the sturdiest Democrats of our country, than that all people, in all countries, conditions, times and seasons, are not of course immediately prepared for the most liberal forms of government. Not admitting this, where is our reply to the tardy or ill success of so many attempted republics? But we do strenuously affirm that, whatever the condition of the mass of a people, they know their own wants, and, whether fitted for a strong government or a light one, will call for such as their needs require. The Buenos Ayreans have republican impulses that can never be destroyed. This they have sufficiently proved. But they consider the present state of their affairs as critical and revolutionary. They never would—and they have not granted to any other man than this one the dictatorial power. He holds it by the single tenure of their will. Since his first election, the vote of the whole population (not required to make a governor with the ordinary authority) has been deemed requisite to sanction the delegation of the extraordinary powers he now wields; and that vote has sanctioned it. These powers have only been renewed, because they have never been abused.

The federative maxims of Rosas and his party are of the true North American republican stamp. From an intimate knowledge of the state of the country; from long observation of the

evils that prevailed, and consideration on the means of remedy, he has adopted the principle of federation as opposed to centralization. And in doing this, has he not hit upon a principle that lies at the foundation of the success of this North American Union? Allow a man much misunderstood here to speak a few words for himself;—words which we must believe to be honest, because they are opposed to the interests of his own ambition, were it selfish, and whose sincerity is ratified by the consistent conduct of a whole life. The following is from a letter written in December, 1834, to General Quiroga, answering one from him urging the immediate formation of a national constitution.

* * * * * "No one, consequently, with greater reason than you and I, can be persuaded of the necessity of the organization of a General Government, and that it is the only means of giving existence and respectability to our Republic. But who doubts that this must be the happy result of all the measures adopted for its attainment? Who can hope to obtain an end by marching in direct opposition to it? Who, wishing to obtain a well-arranged and compact total, does not seek first a permanent and regular reformation of all the parts which are to compose it? Who will venture to organize an army of groups of men without chiefs, without officers, without discipline, without subordination, who do nothing but combat among themselves and draw the whole into confusion. Who can form a living and robust being, by joining together dead or misplaced members, or corrupted by gangrene? for can the life and the vigor of the new being be other than that derived from the members of which it is composed? Let it be observed, that a bitter and dear experience has practically demonstrated that the federal system is amongst us of absolute necessity; for among many other solid reasons we are totally in want of the elements of a government of unity. Let it be observed, that the faction that once dominated in the country, by closing their ears to the cry of this imperious need, has destroyed the means and the resources we possessed for providing for it. This it has done by irritating the people's minds, misleading opinion, opposing to each other particular interests, propagating immorality and intrigue, and so dividing society into bands, that scarcely a vestige is left of any former ties; carrying their fury so far as to break the most sacred of all, and the only one which could serve to re-establish the remainder—that of religion. In this sad state of things, every thing must be created anew, working at first on a small scale, and in detail, to found at last a general system which shall embrace all. Let it be observed, that a federated *Republic* is the most chimerical and disastrous thing that can be imagined, unless composed of states well-organized in themselves; because each one preserving its independent sovereignty, the force of the general power in that which regards the interior affairs is scarcely anything, and its principal and almost total investiture is merely of being the representative organ of the confederated states in their relations with foreign nations. Consequently, if every state does not possess in itself the elements for maintaining its own internal order, the creation of a General Representative Government is of no use but to agitate the whole Republic in every partial disorder that happens, and cause a conflagration in one state to spread over all the rest. Thus it is that the Republic of North America has not admitted into its Union towns and territories which have been formed after its independence, until they are in a state to govern themselves, without allowing them the right of representation as states, or considering them as anything else than as parts attached to the Republic."

The most ultra state-rights man, advocating the supremacy of the people, could hardly speak stronger than Rosas spoke—and *acted*, when he received, in 1832, a proposal to add to the littoral pact a clause which should entitle the government of each province, as matter of right, to call upon the others for assistance in suppressing all insurrections against its authority. In his reply to the proposition he says—

"While there is immense difficulty in deciding when the intervention of a foreign authority and force becomes necessary for '*re-establishing order, and for sustaining the legally constituted authorities and their attributes*,' it is obvious that, without striking injustice, this right cannot be accorded to the governments without granting it to the people, collectively represented in their legislatures; *for if the least attempt against the order and the legal authorities of each province is prejudicial to the interests of the Republic, the abuse of that authority is not less scandalous or less fatal, however legal the authority may be*, if, by such means, *it establishes the oppression of a people, and defrauds them of their constitutional rights.* And it could not be otherwise than we should run the risk of becoming

accomplices of a governor in his exorbitant pretensions, and helping him against the just reclamations of his countrymen, which he might consider, whether through error or malice, to be anarchial."

The predecessors of Rosas used to make their residence in the fort at Buenos Ayres. This custom he has deviated from, and lives at his own private house in the city, or, when he can do so, at his *quinta*, or country mansion. There is no ostentation or parade in his manner of living. He has no body-guard surrounding him, to support his pomp or protect him from the hundred thousand "victims of his tyranny," as his enemies would call them—among whom he reposes trusting and secure. He rides forth through the city unattended even by a *cortegé;* and the only infernal machine that has been contrived against his life was sent all the way from Montevideo.

The business of educating the Argentine people into the quiet temper and mild manners suited to a republican society, is not an easy or a grateful one. A nation of flying herdsmen are hardly in precisely the state required for producing the happiest effects of the Democratic principle. Deprived of the means for knowing how far these people are prepared for a large liberty, we cannot do wiser than allow them to judge for themselves. Rosas has long been in every way urging a transition from their semi-pastoral state to the tranquil, stable, and republican habits of agricultural life. Another of his avowed measures has been to keep their young men out of the army, so as to preserve the morals of the rising generation, and have them grow up free from the spirit of restlessness and the love of blood which comes of war. Too much ferocity is the chief obstacle the nature of those people present to efforts to *republicanize* them. That he has the right aims for their advantage, and is honest in his intentions, there can be no manner of doubt. That he is wrong in the means employed, the judgment and ability he has thus far shown, the success he has already achieved, and our remote knowledge of the difficulties that impede him, preclude us from the right to affirm. If Rosas is a tyrant, he is a tyrant of the most republican tendencies and habits. If he is a tyrant, his tyranny has yielded to himself none of the ordinary benefits of tyranny—neither wealth, nor luxury, nor ease, nor pomp, nor extended dominion, nor gratified ambition; while to the people it has produced the fruits which ordinarily come from freedom. His wars have given them peace; his severity has purchased their security; his "blood-thirstiness" has brought forth order, justice, happiness and wealth. And the "tyrant" has sacrificed his ambition, expended his talents and his health, wasted his substance and risked his all, for the good and the glory of his country.

*Rosas is a man of the people.* His name may be only known to the European world through the calumnies of his enemies. The refugees interested to overthrow him and his party, and the governments interested to despoil him, may deny his merit and depreciate his fame. We of a kindred country may open our ears to his slanderers, and fold our hands in cold isolation from those whose intents are one with our own, while European monarchs combine, for the policy of their cabinets or the purpose of trade, to *ruin* one of the fairest countries of this goodly continent, and drive its brave people into primitive savageism; but at home, in the hearts of the people, the fame of Rosas is safe for ever. They have known him long, and they love him well. *Popular support* is the principle of his power, and the secret of his success. Since first he taught the men of the open country to know their strength, by organizing them to drive back the savages of the wilderness, down to the time when he has taken the saddle to lead them in a forlorn despair against the savages of civilization, who now beset him from the sea—in 1828, when he unfolded his flag as "restorer of the laws"—when, away in the desert, or on the distant banks of the Rio Negro—in the dangerous days of 1840—when directing the federated armies, or when, without command or station, five times refusing the presidential dignity, which he did *not* at last accept—in reverse and in defeat—in danger and in triumph—the hearts of the people and the people's *will* have been with him; never failing him in defeat, and never flagging in his

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needs. Without this, he would have been powerless, even when General Rosas, at the head of all his troops—with it, he has been most strong when only Rosas, the simple farmer.

What sort of a tyrant is this? Tyrants rule by *force*—fear is the *principle* of a despotism. One reverse destroys a tyrant; the people have sustained this one through all his reverses and all his trials. They confide in him, and he in them. They are grateful to *him*, and he is true to *them*. If he is a tyrant, he is a tyrant run mad who imagines, in his craziness, that he is a very patriot, and assumes the character and plays the part to perfection.

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## CHINA AND ITS PROSPECTIVE TRADE.

An event of vast importance to the commercial world immediately, and to the advancement of science eventually, has occurred in the last five years, through the great energy and enterprise of the English government. Whatever may be the stain affixed upon the English character in a moral point of view, by their deliberate attack, on a remote nation, because its government, in the exercise of its independent sovereignty, saw proper to interdict an article which, although the chief article of export from British India, demoralized the people, and deranged the government revenues, a future good will probably grow out of it. China has been regarded, in a commercial view, with great interest, and very sanguine expectations have been excited in regard to the benefits to be derived from a future trade with it. This has arisen more from a want of acquaintance with that hitherto exclusive people than from any well-founded knowledge in regard to their wants and capacity to trade. A people like the Chinese, who for ages have known no wants that could not be supplied from their own resources, and who looked with contempt on every thing foreign, are not in a position to trade largely, even although political obstacles may be removed. China proper is divided into nineteen provinces, which are subdivided into departments and districts. The superfices of the whole, according to Sir Geo. Staunton, is 1,297,999 English statute miles, and the population three hundred and thirty-nine millions of souls; the density being the greatest in the tea districts, amounting in Chi-heang to five hundred and ten persons per square mile. The Chinese official returns of the population are, however, very contradictory. At the commencement of the Manchow dynasty, in the early part of the eighteenth century, a census was taken in view of a poll-tax, by which the population was rated at 23,312,200. At that time, however, many of the provinces had not submitted to the new government, and returns were imperfect. Since that time various official documents have spoken of a prodigious increase in the population. In 1749, according to a statistical account of the empire, the population was 198,000,000. This included the whole area of China proper, which is about eight times the extent of France. Fifty years afterwards a return was obtained during the mission of Lord Macartney, giving the population at 333,000,000, or an increase of 66 per cent. in fifty years, in which time the United States increased 200 per cent. So far there is nothing incredible in the increase. On the other hand, the peculiar laws and social habits of the Chinese have eminently tended to encourage the multiplication of their numbers. In the first place, all emigration is prohibited on pain of "punishment according to the law against communicating with rebels and enemies." This greatly discourages emigration, more particularly in a Chinese, to whose mind the abandonment of his native place and the tombs of his ancestors, is abhorrent in the highest degree; and it must be a desperate man that, in a country like

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that, where all are taught to look upon foreigners with contempt and dread, makes up his mind to quit his home forever. There has been no war since the commencement of the Manchow dynasty, now more than 150 years. The climate is exceedingly salubrious, and the greater part of the population is employed in agricultural pursuits. The laws of the country favor the multiplication of the people in an eminent degree, inasmuch as that the power of parents over a son is absolute, and their property in him is of great value, so much so, that condemned homicides have been pardoned, in consideration of the loss his death would inflict upon his parents; and the law farther provides for the punishment of such masters as fail to procure husbands for their female slaves. The people are proverbially industrious and frugal, and the soil yields in great abundance, while all its production is devoted to the food of man.

There are no meadow-lands nor pleasure-grounds except for the service of the Emperor, and the quantity of land in roads is incredibly small, because of the little transportation in vehicles. All that cannot be carried by water is transported on men's shoulders. The rich are carried in sedan chairs and very seldom upon horses. The sides of barren hills alone are devoted to sepulture. The whole of the ground, thus pressed into cultivation in the most laborious and ingenious manner, serves man only for aliment. No domestic animals are kept except for food. It has been estimated that one horse requires as much land to support him as eight human beings. There being 1,000,000 horses in England, that item alone makes a difference of 8,000,000 souls in the product of the soil of China. The abundance of food thus produced, the salubrity of the climate, the continued peace, and the healthfulness of agricultural employments, have all eminently tended to produce that over-population which China is now beginning to present. And when we consider the progress made by the United States since the commencement of the present century, there is no reason to doubt the proximate correctness of returns which place the present number in the neighborhood of 350 millions. The country inhabited by these people is of a varied climate, and of prolific soil, affording a great diversity of products suited to the wants and comforts of the people. The south provides rice and sugar; the east silk, cotton and tea; the west metals and minerals, and the north furs, as well as a variety of drugs. Resources so varied and vast, made available through the incessant industry of so numerous a population, cannot but give rise to a great internal trade, notwithstanding the absence of almost every facility for transportation and the burden of transit-duties, which afford a very considerable revenue to the government. The only public work to facilitate intercourse appears to be the Imperial Canal, which is about 600 geographical miles in length, and is probably the largest in the world. It is the same now that it ever has been, and it was described in 1307 as follows:

"Ships can navigate it, and it is forty days' journey in length. When ships arrive at the sluices, they are raised up, whatever be their size, by means of machines, and are then let down on the other side into the water."

This describes exactly the practice of the present day. By means of this communication, nearly all the products of distant and remote provinces are interchanged, and the varied wants of a great empire cared for, leaving but little to desire from external intercourse, which has ever been very limited. The visits of junks to neighboring countries are confined to Japan on the north, the Luconian islands on the east, Batavia and the straits of Malacca to the south. The exports thither are mostly silk goods, China ware, sandal wood, rhubarb, &c., and the imports are edible bird's-nests, rattans, pepper, &c. The system of the government has been such as to discourage any external intercourse, and its abuses have borne heavily upon private enterprise and internal trade. The supreme head of the government is the Emperor, who is worshipped with divine honors, and his birth-day is celebrated by imposing ceremonies, which are simultaneous in all the cities of the empire. A vacant throne, or screen of yellow silk, being worshipped equally with the actual presence of the sovereign. The Emperor has the absolute disposal of the succession, and may even name an heir out

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of his own family. He is also Pontifex Maximus, or high priest of the empire, and can alone sacrifice in the government temples with victims and incense. No hierarchy is maintained at the public expense, nor any priesthood attached to the Confucian or government religion, as the sovereign and his great officers perform that part. The sacred books of Confucius are studied and expounded by the Hân-lin College, and the government makes religion a part of political rule. The principal ministers of the empire are four in number—two Tartars and two Chinese, forming the "interior council-chamber." Below these are a number of assessors, who, together with them, form the Great Council of State. The source whence these ministers are selected is the Imperial College of Hân-lin. There is also a body of privy-councillors, for occasions when secrecy and dispatch are particularly required. There are also six boards for the conduct of officers' business:—1st, the Board of Official Appointments, taking cognizance of the conduct of all civil officers; 2d, the Board of Revenue; 3d, the Board of Rites and Ceremonies; 4th, the Military Board; 5th, the Supreme Court of Criminal Jurisdiction; 6th, the Board of Public Works. All these have under them subordinate boards. There is also an office for foreign affairs, and an office of censors, of which there are fifty members, who are sent to all parts of the kingdon as inspectors or spies, and who, by the ancient custom of the empire, are privileged to present any advice to the sovereign without losing their heads. This does not, however, save them from disgrace if their advice is not agreeable. Those form the principal organs of the imperial government at Peking.—The provinces are placed under the charge of a governor, and sometimes two are placed under a "governor-general." Under each of these governors is a chief criminal judge and a civil judge, who has also the charge of the provincial revenue. There is also a Mandarin having charge of the salt-tax. The Emperor being sufficiently civilized to monopolize that necessary on true protective principles. The cities of each province are classified in three grades, under magistrates, who take rank from their respective cities. The foreign trade at Canton has produced the creation of a Commissioner of Customs, who is called Hoppo, a corruption of Hoo-poo, the Peking Board of Revenue. He is generally an imperial favorite, who receives the appointment, in order that he may make a fortune out of the foreign trade, which he generally effects very speedily to the ruin of the Hongs. The military officers all rank far below the civil. Whatever may be the ignorance of the Chinese in relation to matters extraneous to their empire, they appear to be well-informed as to their own affairs. They possess statistical works far more numerous and minute in their details than, perhaps, any of the nations of Europe. The principal of these is called Ta-tsing, consisting of 240 volumes, giving particulars of the population, geography, revenues, magistracy, and other details, of every province, each of which has, in addition, its own separate account of its own affairs, taken something in the manner that a general census of the United States is taken by the federal government, and a separate census by each state; and it is a singular, but favorable feature of their system, that they give the utmost publicity to political and state matters. The Peking Gazette is a state engine of very considerable importance, and exhibits a desire to conciliate public opinion in a manner scarcely to be expected of a government thoroughly despotic. The means by which the vast and varied population of China, spread over a surface larger than modern Europe, is controlled through the machinery of a government, of which we have given some of the details, is the penal code. The arrangement of this code is one of admirable method. It is divided under seven heads, the first of which comprises general definitions and explanations referring to the whole code. The six following correspond to the six Boards of the Imperial Council at Peking, being illustrative of the respective duties and functions of those councils. There are 27 volumes in the aggregate. A very able critique on Sir George Staunton's version of the code has pronounced as follows:

"The most remarkable thing in this code is its great reasonableness, clearness and consistency; the business-like brevity and directness of the various provisions, and the plainness and moderation of the

language in which they are expressed. * * A clear, concise and distinct series of enactments, savoring, throughout, of practical judgment and European good sense; and, if not always conformable to our improved notions of expediency in this country, in general approaching them more nearly than the codes of most other nations.

That many defects exist in them, growing out of the character of the government whence they sprung, the wants, habits, manners and peculiarities of the people to whom they are applied, is doubtless true; more particularly in consequence of that want of communication with other civilized nations that has grown out of their "protective system," and which has made them altogether dependent on themselves for their advancement, and deprived them of the improvements, socially and scientifically, that have been achieved by the perhaps more vigorous intellects of some other nations. The civil code of the present dynasty consists of 261 volumes. The body of the work is divided into nine parts, methodically arranged, and adapted to the working of each branch of government. In that part relating to the executive boards, is a detailed list of all the appointments of the empire, and rules are laid down for selecting, appointing, rewarding, punishing and removing; a terrible round of espionage is in perfect operation, and *mutual jealousy* is seemingly the active principle in regulating offices. The private conduct and demeanor of every officer is reported by his superior, and the reports run through all grades, from the lowest appointment to the Imperial Council. Before we too hastily condemn this dishonorable mode of proceeding, we should reflect how far our own political appointments have come to hang on the same tenor. The greed for office that has unhappily sprung up of late years, has given rise to a most unworthy state of things, not greatly at variance with that legally recognized in China.

In their intercourse with foreigners the Chinese have uniformly shown the utmost self-esteem, and a most intolerable contempt for the rest of mankind. We apprehend, however, that this arises rather from the pertinacity with which they adhere to ancient customs and notions, and to that seclusion from the rest of the world to which we have before alluded. They hold to this day, the same maxims with regard to strangers, that prevailed with the Romans. When the Imperial city held sway over the known world, the same word signified both a stranger and an enemy. The Greeks also held that the *barbaroi* had no rights; and Aristotle averred that strangers were slaves by nature, and might be considered as beasts of the chase, and hunted down. In the progress of European civilization, and the constant intercourse which has been kept up between all nations, those curious prejudices have, to some extent, ceased; yet national antipathies still burn to a considerable extent, more particularly among that class of economists who suppose that the interests of all nations are best promoted by sustaining a war of mutual injuries upon each other, by protective and retaliatory duties. The Chinese have not, at least as far as the government is concerned, kept pace with European improvement in that matter. Their insolent Mandarins, in official documents, still proclaim foreigners to be "red-bristled devils." They still denominate distant countries *kwei fang*, "devils' regions," and strangers *fan kwei*, "foreign devils;" and the profile on the dollar he brings them, *kwei-tow*, "devil's-head," according to phrases applied by their sage, Confucius, to the same objects. Many, or all, of their internal customs and manners present a similar immutability to this presumptuous conduct; and it is not to be wondered at that this, which has hitherto had the least occasion to change, should continue to gratify official insolence. The people of China are amiable, and well-disposed to give strangers a hearty welcome, and intercourse will increase as the government officers become compelled to acknowledge the equality of other governments with their own.

We have mentioned that the foreign trade of China, confined as it was to the single port of Canton, was under the direction of a Commissioner of Customs. The trade itself was conducted by a company of merchants, appointed by the government, and called the Hong, or security-merchants, from the fact that they had charge of the whole foreign trade, and were responsible to the government for the

duties on imports and exports. These merchants were exposed to the most excessive extortions from the officers of government, so much so as almost universally to lead to their bankruptcy; and, as every newly-appointed merchant was obliged to pay dearly for the privilege of becoming a Hong, it was to the interest of the officer that bankruptcies should be frequent. The oppressions that produced that result were, therefore, by no means considered an evil. The trade that passed through the hands of these people consisted mostly in the sale of teas and silks, and the purchase of raw cotton, some cotton and woollen goods and opium in return. Notwithstanding the multifarious and productive industry of the Chinese, they have, as yet presented, as exchangeable commodities in the foreign trade, only teas and silks. The following debtor and credit account will show the state of the British trade with China for the year 1834:

TRADE OF BRITISH INDIA WITH CANTON.

| Export to China. | | Import from China. | |
|---|---|---|---|
| Cotton and woollen goods, | 9,246,060 | Teas, | 9,133,749 |
| Other goods, | 2,616,017 | Silk, &c., | 7,766,334 |
| Opium, | 11,618,716 | Specie, | 6,576,585 |
| Total, | $23,476,793 | | 23,476,668 |

This shows the nature of the trade, which was to create a continued drain of specie from China into British India, by which that country was enriched with coin, and the consumption of British goods thereby greatly encouraged. This was brought about through the agency of opium, a pernicious drug, the culture of which is forced upon the Indian subjects of England, because of its favorable influence upon the finances of the Company, as well as of England. The American trade with China has generally been the reverse of that of the English; that is to say, the balance is usually against the United States, and is paid for generally in the proportion of $1,000,000 specie shipped to Canton, and $4,000,000 worth of bills drawn on London, which, passing into the hands of the East India Company, form a remittance to London. The imports from China in 1845 were $7,285,914, and the exports thither $2,112,585 of goods, three-fourths of which were cottons; also $163,410 of specie, and the balance bills on London and respondentia funds. From this state of the trade between England and the United States and China, it is apparent that, including $11,000,000 worth of opium, China has usually bought more than she paid for in the products of her own labor, and that therefore a uniform drain of specie was kept up in favor of British India. This was disastrous to general trade, because it prevented the Chinese from buying goods. As long as their specie was all taken to pay for Indian opium, a scarcity of money necessarily prevailed among them, and therefore an inability to buy American goods. From the United States trade, therefore, they demanded cash or bills. This difficulty was somewhat enhanced by the fact, that all the trade being confined to Canton, at a great distance from the Provinces that consumed most of the goods, caused the merchandize to be subjected to great expense in internal transportation and onerous transit duties; and in fact the revenues thus derived were one reason for locating the trade at that remote corner of the Empire. When, therefore, English violence had compelled the Chinese to submit to terms, the new treaty was made to embrace the privilege of trading at other ports nearer to the places of consumption, the monopoly of the Hong was abolished, and the trade made comparatively free. The great and surprising success of Mr. Cushing, late Minister to China, in promptly effecting a treaty more favorable to commerce than that of England, further excited the hopes of dealers, and the United States trade thither has much improved; that is to say, against an export of $355,725 worth of cotton goods, in 1842, there were sent, in 1845, $1,496,470, and the import of tea increased in the same proportion. If the opium trade could be abolished, there is but little doubt but that goods would be sold to an extent equal to the amount now paid for that article, and that those goods would be of American rather than British

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growth. By such a result, the American account would be more nearly balanced in the direct trade with China, and as a consequence the amounts due the United States in London would come hither in specie, instead of as now being appropriated to the liquidation of the bills running upon London from China. There are efforts now making in England to cause a reduction in the duties on tea, in order to enhance its consumption in England, with the view by so doing to extend the sale of British goods in China, without enhancing the cash drain, which cannot healthily continue. The consumption of tea in the United States and Great Britain, has progressed as follows:

| | 1821. | 1831. | 1841. | 1844 | 1845. |
|---|---|---|---|---|---|
| Great Britain..lbs. | 7,327,283 | 21,842,264 | 27,298,322 | 41,366,987 | 51,340,220 |
| United States.... | 4,975,646 | 5,182,867 | 11,560,201 | 15,656,114 | 19,630,045 |

The increase in the consumption is much greater in England than in the United States. The reverse is the case with regard to coffee, which, equally with tea, is free of duty, but pays heavy taxes in England. The expiration of the East India Company's charter, in 1834, was accompanied by a most extensive competition in private trade, which reducing the price of teas, greatly extended its consumption in England. In the United States green teas have hitherto been the favorite, and form about 60 per cent. of the importation. In England they are in the proportion of 25 per cent. green, and 75 per cent. black tea. It would appear that the increased consumption of tea which has taken place in both Europe and America, has not only greatly reduced the qualities of tea generally, but has made the more choice descriptions yearly more difficult to procure. The consumption of both England and the United States was, in 1821, 12,000,000 lbs., and is now 70,000,000 lbs., a most prodigious increase, and which must greatly have taxed the powers of China to supply it. It is a ratio of increase nearly as great as that of our cotton. It was formerly the case under the monopoly of the East India Company, that experienced inspectors were employed, who from long practice acquired a readiness in the detection of the slightest shades of quality not generally attainable. These officers frequently detected adulterations with spurious leaves, both in the green and black teas. The company, however, by offering premiums for the best lots, managed to keep up the quality of both descriptions. About the year 1833–4, however, the cessation of the East India Company's charter threw the trade open to competition in England, and the removal of the duties in this country caused a great improvement in the demand, without the continuance of the necessary surveillance in regard to quality, and a manifest depreciation has since taken place. It has always been the custom to color even genuine green teas more or less. The great demand which has of late years sprung up for green teas on American account, has given rise to the most extensive frauds in that article. A quantity of damaged black teas will be taken and dried in baskets over pans of charcoal. The dried leaves, in quantities of a few lbs. each, are then placed in heated cast iron pans. A workman stirs the leaves rapidly with the hand, mixing in a small quantity of *tumeric*, which imparts an orange tinge to the leaves. A powder prepared from *Prussian blue*, (Prussiate of iron, a poison,) and gypsum, is then added to the leaves, which are stirred over the fire until they assume the fine bloom color of hyson, with much the same scent. The leaves are then sifted. The first sifting is called hyson skin, and the last young hyson. This fraud is perpetrated on a most extensive scale, and has doubtless given ground for the belief in the injurious nature of green tea. On the importation of the teas into this country, further deceptions are practised in re-packing and re-marking the boxes, by which means inferior teas are made to appear as if in the original China packed boxes.* The manner of the trade, as hitherto conducted, has given opportunity to these practices. The teas have from the hands of the importers passed into

* Hyson Skin, of good quality, very frequently resembles Old Hyson, but it is a cheaper tea by 15 or 20 cents per pound. Fraudulent jobbers erase the printed faces from the Hyson Skin boxes and reface them "Fine Old Hyson," and in this way sell Hyson Skin for more than it is worth. The same fraud is practiced in Black teas. Souchong is frequently refaced "Fine Oolong," which enables dishonest dealers to sell such tea for from 12 to 20 cents more than its value.

When a chop of tea bearing certain marks becomes a general favorite from its good qualities, these marks are as closely imitated and applied to other and inferior chops, as to deceive country merchants. Other frauds might be added, but these will suffice.

those of middlemen, by whom they are sold, with such changes in the packages and denominations as the most wily ingenuity will suggest, to the retailers, at enormous charges. By the time they reach the consumers, poor and cheap teas bear a heavy charge. Hence the masses of the people for the most part get only a poor beverage at a high price. It has been doubtless owing to this fact that the consumption of coffee, although less healthy and less agreeable to the taste, has in so great a degree exceeded that of tea in the United States. A change is now, however, being accomplished in the manner of furnishing tea to the consumers. Both in London and the United States, private tea companies, of which, without being invidious, the Pekin Tea Company of New-York may be mentioned as the only one whose resources seem adequate to the undertaking, have been formed, by which the teas pass from the hands of the importer more directly to the consumer, without undergoing any mixture or depreciation in character, and with the saving of one profit, that of the middlemen, in its progress. This company stands, in relation to the consumers, nearly in the same position as did formerly the inspectors of the East India Company. They are not only the means of preventing a spurious mixture, but also those exorbitant charges, which, in the hands of the middlemen, went to swell the cost to the consumers in so eminent a degree. The progress of this reform may be expected to produce the most beneficial results upon the trade generally.

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## MAN AND THE EARTH.

BY MARY ORME.

"Can imperfection from perfection come?
Can God make aught defective?"

Creation's dawn broke o'er the Earth,
And spirits from on high had birth;—
Amid the chaos of a world,
Bright wings, and angel hopes were furled,
And human life began below,
A famished growth 'mid wants and woe,
For darkened in his new abode
Man dimly sees his being's good.

Enwrapped in clay the Spirit's eye,
Sees not its own infinity;
But blindly strives, weak and alone,
For all to work, for all atone.
The angel heart still urges on,
To seek the Light around the throne,
Where glows the central, Heavenly Sun,
And pours its living radiance down.

But Time is sad, and dark, and cold,
And strength is weak and youth is old,
For Light and Heat beam from afar,
Heaven's paling Sun seems but a Star,
And hearts are withered here on Earth,
Who had above Archangel birth,
So pure, so true, that they were given
To make the dull, dead Earth a Heaven.

And they have wrought with earnest pain
Life, sad, or bright was ne'er in vain —
The smallest worm that crawls the sod
Hath useful being — God is God.
Mistake, and accident, and crime
Are but man's growth in Earth and Time,
And upward still Life's spiral turns,
Tow'rd where the Love Eternal burns.

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## MONTHLY FINANCIAL AND COMMERCIAL ARTICLE.

DURING the month which has elapsed since the date of our last, a combination of causes, growing out of political and legislative events, has conspired to produce a change in the aspect of commercial affairs. As a general cause it may be said, that the money market is now undergoing the reaction of the first operation of the tariff. When the present tariff was under discussion in the Senate, Mr. Calhoun clearly pointed out the operation of those elements, called into action by a high tariff, which would inevitably result in the revulsion which now partially affects the market. This was briefly, that the imposition of high duties, at a time of a dear currency, and consequent low prices, would prevent the return of the proceeds of our produce sold abroad in a shape other than specie, that the scarcity of goods, so brought about, would raise their prices and stimulate great activity among home manufacturers; the specie accumulating in the banks would stimulate an expansion to meet the increased call for money; the facilities so afforded, causing a further advance in prices, and increased imports, made profitable by the rise, would produce a re-export of the coin, and consequent distress. All this has taken place since the passage of the present tariff. We have frequently alluded to the large import of specie which occurred in 1843. In our March number we gave a table of 412 banks in the United States, showing an expansion of 12½ per cent. of their loans, during 1845, and of 20 per cent. in their circulation. We will here compare the loans of the New-York, Massachusetts, Pennsylvania, Maryland and Ohio banks, as they stood at the close of the last four years.

LOANS OF THE BANKS OF FIVE STATES.

| | Massachusetts. | New-York. | Pennsylvania. | Maryland. | Ohio. | Total. |
|---|---|---|---|---|---|---|
| 1843 | 44,610,391 | 52,386,467 | 17,120,230 | 7,816,786 | 6,376,950 | 128,310,824 |
| 1844 | 42,993,291 | 61,534,129 | 16,038,016 | 7,551,894 | 2,873,897 | 130,991,157 |
| 1845 | 48,770,975 | 73,091,796 | 23,374,426 | 9,677,773 | 3,141,281 | 158,056,251 |
| 1846 | 52,648,729 | 74,780,435 | 27,102,507 | 20,143,299 | 7,791,789 | 182,466,759 |

The increase in Ohio is the operation of the brood of wild-cat banks set in operation last year by the new banking law. These are from official returns, and show that extraordinary expansion, amounting in two years to 40 per cent., which was the natural and inevitable result of a prohibitive tariff, causing a large amount of coin to flow into bank vaults, at a time when those banks were making but small dividends; when their outstanding credits were limited, and when the manufacturers and people generally were excited to undue enterprise, by the fallacious benefits expected to be derived from the new tariff. The banks, in the exercise of their privileges of loaning three dollars of credit for every one they possessed or could command in money, freely met the renewed demand for loans, and their enhanced dividends are indicative of the advantage they found in the movement. This upward movement could not continue for any length of time without meeting a check, or, in fact, itself evolving the elements of a reaction. While the rate of money in London was much lower than in the United States, the expansive movement here was aided by the inclination of capitalists to employ their funds here, at a rate of 6 a 7 per cent., rather than to order it home, where 1½ a 2 per cent., per annum, was the maximum rate of interest. In former years, when public credit and unshaken confidence in American securities came eminently in aid of a movement similar to that which has been in progress during the last three years, the expansion would reach, from the same causes, a much higher grade than now, when late events have induced a feeling of

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very general distrust, and a sensitiveness in regard to the employment of money here, that causes it to be withdrawn at the slightest appearance of danger. Two leading causes have conspired to turn the exchanges in favor of England sooner than otherwise would have been the case. These are, the advance in the value of money in England, and the deficit in the cotton crop, by which the amount to be drawn against it has been diminished up to this time, near $12,000.000, as compared with last year. Nor have the imports into the United States at all diminished for the spring trade, as compared with last year; as an indication of this we may present the following returns of the customs duties for the first quarter of the current year, at the ports of New-York and Boston.

CUSTOMS DUTIES AT NEW-YORK AND BOSTON, JAN. 1ST TO APRIL 1ST.

| | New-York. | Boston. | Total. |
|---|---|---|---|
| 1845 | 4,636,892 | 946,668 | 5,583,530 |
| 1846 | 5,360,835 | 1,406,047 | 6,766,882 |
| Increase | 723,973 | 459,379 | 1,183,352 |

In this we have an increase of dutiable goods equal to 20 per cent. over the corresponding period of last year. The imports and exports of the port of New-York for the quarter, ending April 1st, were as follows:

| | 1845. | 1846. | Increase. | Decrease. |
|---|---|---|---|---|
| Imports | 17,380,937 | 19,824,595 | 2,444,358 | |
| Exports | 4,703,398 | 3,882,143 | | 821,255 |

Under these circumstances the exchanges could not but be unfavorably affected, and near $1,000,000 of specie has left for Europe. The same state of things which causes specie to leave New-York for Europe also induces a current to set eastward, and the new Ohio banks, as well as the bloated institution of Indiana, must soon feel the pressure. Throughout New-England the unhealthy action of manufactures, stimulated by the tariff theory, has already suffered reaction; and the pressure is rapidly extending itself among all those whose paper wings have encountered the swelling breeze. It is a point to which we would call attention, that the adverse state of the exchanges has been produced by the banking action, at a moment *before the tariff question has even been brought before Congress.* The imports under the present duties have become excessive, notwithstanding that the tariff was alledged to be a protector to the currency as well as to the manufacturers. The manufacturers of England have, as usual, sent large quantities of goods here, and obtained advances from the auctioneers, whose paper was discounted and the amount remitted. The packet of the 1st of April probably carried a larger remittance than was ever before made at one time. Exchange advanced from 6½ to 10 per cent. This sudden demand, and consequent large movement of specie, induced a rigid action on the part of the banks, in relation to that class of paper, the discount on which most facilitates the remittances of importers and the agents of foreign houses. By these means the demand for bills being checked, the shipments of specie measurably diminished. More particularly in that the passage of the Independent Treasury Bill, through the House of Representatives, excited alarms, real and fancied, in relation of the probable effect of a government demand for specie, after the 30th of June, 1846. Under the influence of the bank expansion, a steady and progressive rise in prices of dutiable articles has taken place, and to an extent, as is evident in the fact of the enhanced amount imported, which neutralize the duties as preventatives to imports. They have no other effect than to enhance the prices to consumers. In illustration of this advance we take from the New-York Prices Current a table of prices, monthly, in the New-York market, of dutiable imported goods—as follows:

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PRICES OF DUTIABLE ARTICLES IN NEW-YORK.

| | Sheetings, 4-4. | Flax, Russia. | Raisins, bunch. | Indigo, Madras. | Iron, pig. | Iron, bar. | Salt, T. I. | Brandy, Otard. | Sugar, Cuba. | Coal. | Hemp, or clan. | Molasses. | Total. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| **1843.** | | | | | | | | | | | | | |
| Oct. | 0.07 | 0.08 | 1.75 | 0.90 | 25.00 | 7.50 | 0.26 | 2.25 | 0.06½ | 9.57 | 185.00 | 0.25 | 232.87½ |
| **1844.** | | | | | | | | | | | | | |
| Feb. | 0.07 | 0.08 | 2.12½ | 0.95 | 32.00 | 55.00 | 0.28 | 2.35 | 0 06½ | 8.75 | 180.00 | 0.27 | 281.93½ |
| April | 0.07 | 0.08 | 2 12½ | 0 90 | 30.00 | 57.50 | 0.32 | 2.35 | 0.06½ | 7.50 | 180.00 | 0.27 | 281.18 |
| May | 0-07 | 0.08 | 2.20 | 0.85 | 32.50 | 57.50 | 0.30 | 2 30 | 0.06½ | 6.75 | 180.00 | 0.25 | 282.80½ |
| June | 0.07 | 0.08 | 2.20 | 0.85 | 35.00 | 62.50 | 0.23 | 2.30 | 0.06 | 6.75 | 110.00 | 0.28 | 290.42 |
| Sept | 0.07 | 0.08 | 2.25 | 0.82½ | 33.00 | 62.50 | 0.26 | 0.20 | 0.06 | 8.50 | 175.00 | 0.28 | 285.19½ |
| Oct | 0.07 | 0 08 | 2.30 | 0.82½ | 32.00 | 62.50 | 0.26½ | 2.20 | 0.06 | 8.00 | 175.00 | 0.28 | 283.58 |
| Nov | 0.06½ | 0.08 | 2.56½ | 0.80 | 30.00 | 62.50 | 0.26 | 2.20 | 0.05½ | 9.50 | 170.00 | 0.26 | 278.28½ |
| Dec. | 0.06½ | 0.08 | 2.60 | 0.80 | 30.00 | 62.50 | 0.23 | 2.20 | 0 .05½ | 10.50 | 170.00 | 0.26 | 279.39½ |
| **1845.** | | | | | | | | | | | | | |
| Jan. | 0.06½ | 0.08 | 2.70 | 0.80 | 30.00 | 62.50 | 0.24 | 2.20 | 0.05½ | 10.00 | 180.00 | 0.25 | 288.59 |
| Feb. | 0.06½ | 0.09 | 2.65 | 0.80 | 31.00 | 62.50 | 0.24 | 2.12½ | 0.04 | 10.00 | 187.00 | 0.25 | 296.76 |
| March | 0.06 | 0.09 | 2.65 | 0.80 | 36.00 | 70.00 | 0.24 | 2 12½ | 0.04½ | 9.75 | 190.00 | 0.26 | 312.02 |
| April | 0.06½ | 0.09½ | 2.55 | 0.83½ | 51.25 | 82.50 | 0.26½ | 2.22½ | 0.05 | 10.00 | 210.00 | 0.33½ | 360.19½ |
| May | 0.06½ | 0.10 | 2.37½ | 0.82½ | 51.25 | 82.50 | 0.25 | 2.20 | 0.05½ | 9.62½ | 225.00 | 0.28 | 374.52½ |
| June | 0.06½ | 0.10 | 2.37½ | 0.82½ | 41.25 | 78.75 | 0.25½ | 2.82½ | 0.06½ | 8.75 | 195.00 | 0.28½ | 330.44½ |
| July | 0.06½ | 0.10 | 2.25 | 0.85½ | 36.25 | 78.75 | 0.26½ | 2.87½ | 0.06½ | 8.62½ | 205.00 | 0.27 | 335.36½ |
| Aug | 0.07½ | 0.10 | 2.37½ | 0.85 | 35.50 | 75.00 | 0.27 | 2.87½ | 0.07½ | 9.25 | 182.50 | 0.27 | 309.13½ |
| Sept. | 0.07½ | 0.10 | 2·40 | 0.85 | 33.75 | 73.75 | 0.30 | 2.87½ | 0.07½ | 9.12½ | 177.50 | 0.27 | 301.06½ |
| Oct. | 0.07½ | 0.10 | 2.30 | 0.75½ | 32.75 | 75.00 | 0.31 | 2.87½ | 0.07½ | 8.62½ | 177.50 | 0.24½ | 306.65½ |
| Nov. | 0.07½ | 0.10 | 2.22½ | 0.75 | 41.75 | 78.75 | 0.33½ | 2.80 | 0.07½ | 8.12½ | 182.50 | 0.22½ | 317.76½ |
| Dec. | 0.07½ | 0.10 | 2.06½ | 0.75 | 39.00 | 78.75 | 0.29 | 2.80 | 0.06½ | 7.12½ | 185.00 | 0.22½ | 316.34½ |
| **1846.** | | | | | | | | | | | | | |
| Jan. | 0.0 ½ | 0.10 | 2.05 | 0.75 | 39.00 | 78.75 | 0.28 | 2.80 | 0.06½ | 7.12½ | 185.00 | 0.22½ | 316.22½ |
| Feb. | 0.08 | 0.10 | 2.05 | 0.72½ | 37.00 | 78.75 | 0.47½ | 2.72½ | 0.06½ | 7.75 | 197.50 | 0.24½ | 327.46½ |
| March | 0.08 | 0.10 | 1.95 | 0.72½ | 39.00 | 78.75 | 0.45 | 2.72½ | 0.06½ | 7.12½ | 210.00 | 0.27½ | 341.94½ |
| April | 0.08 | 0.10 | 2.17½ | 0.72½ | 41.25 | 78.75 | 0.42½ | 2.85 | 0.06½ | 7.12½ | 207.50 | 0.26½ | 341.23 |

The most marked and sustained advance has been in the article of brown sheetings, which have improved 33⅓ per cent. in two years, or 2 cents per yard, and equal to a rise of $10,000,000 in the value of the cotton goods consumed in the United States. Or, in other words, the manufactures who were making a profit on their goods at 6 cents, have since obtained an advance of $10,000,000, over and above those profits, at the expense of the consumers. A necessary consequence of this advance in the value of cottons, has been the following progress of the import of cotton goods:

IMPORT OF COTTON GOODS INTO THE UNITED STATES.

| | 1843. | | 1844. | | 1845. | |
|---|---|---|---|---|---|---|
| | Quantity. | Value. | Quantity. | Value. | Quantity. | Value. |
| Dyed, over 30 cts....yds. | ..... | 417,728 | ..... | 2,925,690 | ..... | 3,390,145 |
| " not over 30 cts. " | 6,339,636 | 1,321.590 | 28,599,795 | 5,968,529 | 25,027,699 | 5,182,401 |
| White, over 20 cts... " | ..... | 90,576 | ..... | 467,859 | ..... | 381,791 |
| " not over 20 cts. " | 2,497,240 | 302,529 | 9,071,760 | 1,202,910 | 11,269,418 | 1,441,660 |
| Velvets, over 35 cts... " | ..... | 82,363 | ..... | 576,089 | ..... | 548,974 |
| " not over 35 cts " | 43,343 | 11,563 | 323,353 | 96,545 | 426,884 | 122,317 |
| Yarn, dyed.....lbs. | 69,188 | 21,792 | 80,271 | 34,901 | 103,869 | 43 995 |
| " white..... " | 20,868 | 4,435 | 10,751 | 3,563 | 20,068 | 10,294 |
| Total, | | $2,242,576 | | 10,276,086 | | 11,121,577 |

We have not alluded to cottons, because the effect upon them has been different from that upon other articles, but because the figures, official and past cavil, are more readily obtained, and the result, therefore, more clearly demonstrated. It is remarkable, that while this great prosperity has been awarded to the manufactures of cloth, that the print-works have, many of them, failed, because they cannot pay the exorbitant tax upon the cloth, and print it to a profit. The rise in prices of most articles, which we have ascribed to the paper inflation, has also been apparent, to some extent, in favor of produce, but only where a foreign demand opened a vent to the enormous quantities that

have continually pressed forward to market; as indicative of this state of affairs we present the following table, prepared like that above, and from the same source:

PRICES OF PRODUCE IN THE NEW-YORK MARKET.

| | Ashes, pots. bbl. | Cotton, fair. lb. | Dry Cod. cwt. | Flour, west'rn. bush. | Rye. bush. | Tar, bbl. | Beef, mess. bbl. | Pork, mess. bbl. | Rice. cwt. | Tobac. Ky. lb. | Wool, merino. lb. | Total. |
|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 1843. | | | | | | | | | | | | |
| Oct.... | 4.50 | 0.08¼ | 2.25 | 4.44 | 0.65 | 1.37½ | 6.50 | 10.87½ | 2.50 | 0.03 | 0.30 | 32.50¼ |
| 1844. | | | | | | | | | | | | |
| Feb.... | 4.62½ | 0.10 | 2.62½ | 4.87½ | 0.67 | 1.25 | 5-87½ | 9.25 | 2.87½ | 0.02½ | 0.40 | 32.57½ |
| April... | 4.37½ | 0.08½ | 2.75 | 4.87½ | 0.68 | 1.50 | 5.87½ | 9 50 | 2.43¾ | 0.03 | 0.40 | 32.50¼ |
| May ... | 4.31 | 0.07½ | 2.94 | 4.62½ | 0.69 | 1.50 | 5.25 | 8.94 | 2.75 | 0.02 | 0.38 | 31.86¾ |
| June... | 4.25 | 0.07½ | 2.87½ | 4.50 | 0.67 | 1.50 | 5.00 | 8.50 | 2.75 | 0.02 | 0.38 | 30.51 |
| Sept... | 4.19 | 0.06¾ | 2.37½ | 4.12½ | 0.66 | 1.56 | 5.00 | 9.37½ | 3.37½ | 0.02½ | 0.42 | 31.17½ |
| Oct.... | 4.12½ | 0.06½ | 2.25 | 4.37½ | 0.67 | 1.75 | 5.00 | 9.06¼ | 3.25 | 0.02¾ | 0.40 | 30.98½ |
| Nov.... | 4.00 | 0.06¾ | 2.56¼ | 4.62½ | 1.70 | 1.81 | 5.50 | 8.94 | 3.18¾ | 0.02½ | 0.40 | 31.81¼ |
| Dec.... | 3.87½ | 0.05¾ | 2.25 | 4.69 | 0.65 | 1.81 | 5-50 | 9.37½ | 2 75 | 0.02¼ | 0.37 | 31.35¾ |
| 1845. | | | | | | | | | | | | |
| Jan.... | 3.75 | 0.05¾ | 2.44 | 4.62½ | 0.66 | 1.69 | 6.50 | 9.37½ | 2.75 | 0.02½ | 0.37 | 32.24¼ |
| Feb.... | 3.87½ | 0 06½ | 2.44 | 4.88 | 0.65 | 1.69 | 6.75 | 9.87½ | 2.62½ | 0.02¼ | 0.37 | 33.24½ |
| March.. | 3.75 | 0.06¼ | 2.63 | 4.82 | 0.66 | 1.50 | 7.00 | 10.25 | 3.00 | 0.02¼ | 0.37 | 33.31¾ |
| April... | 4.18 | 0.06¾ | 3.06 | 4.62½ | 0.67 | 1.65 | 9.25 | 13.12½ | 3.25 | 0.02½ | 0.37½ | 40.27½ |
| May ... | 3.85 | 0.06¼ | 2.91 | 4.81 | 0 65 | 1.87½ | 8.75 | 12.97 | 3 18 | 0.02½ | 0.37½ | 39.45½ |
| June... | 3.77 | 0.07 | 2 60 | 4.75 | 0.66 | 2.00 | 8.87½ | 12.97 | 3.18 | 0.02¾ | 0.36½ | 39.26¾ |
| July .... | 3.87½ | 0.07¾ | 2.41 | 4.50 | 0.64 | 2.17½ | 9.00 | 12.97 | 3.18 | 0.02¾ | 0.33 | 39.13¾ |
| Aug..... | 3.81 | 0.08¾ | 2.41 | 4.60 | 0.70 | 2.31 | 9.37½ | 13.67 | 3.81 | 0.03 | 0.30 | 41.09¾ |
| Sept.... | 3.87 | 0.08 | 2.56 | 4.85 | 0.63 | 2.25 | 9.26 | 13.87 | 4.41 | 0.03 | 0.30 | 49.14 |
| Oct.... | 4.00 | 0.08 | 2.61 | 4.91 | 0.70 | 2.00 | 8.25 | 13.71 | 4.62½ | 0.83 | 0.31¼ | 41.23 |
| Nov.... | 3.81 | 0 07¼ | 2.65 | 6.41 | 0.80 | 1.87 | 7.87 | 14.12 | 4.62½ | 0.03 | 0.37 | 42.62¾ |
| Dec.... | 3.75 | 0.07¾ | 2.72½ | 6.37 | 0.81 | 2.12½ | 8.25 | 13.56 | 4.62½ | 0 03 | 0.37 | 42.69¾ |
| 1846. | | | | | | | | | | | | |
| Jan.... | 3.77 | 0.07¾ | 2.81 | 5.73 | 0.80 | 2.31 | 8.25 | 13.18 | 4.25 | 0.03 | 0.37 | 42.29¾ |
| Feb.... | 4.00 | 0.07¾ | 2.87 | 5.60 | 0.80 | 2.35 | 8.25 | 11.75 | 3.87 | 0.03 | 0.37 | 39.96¾ |
| March.. | 4.02 | 0.08¼ | 2.91 | 5.53 | 0.82½ | 2.12 | 8.12½ | 11.00 | 3.56 | 0.03 | 0.37 | 38.58¼ |
| April... | 3.90 | 0.88¼ | 2.90 | 5.40 | 0.76 | 1.87½ | 8.25 | 10.87½ | 4.25 | 0.03 | 0.37 | 38.69¼ |

The greatest fluctuation here apparent, is in the prices of flour; and the cause of that is sufficiently well known, viz.: the English demand in the autumn. The advance then occasioned brought forward large quantities beyond what was necessary for export, and the prices fell back. Cotton has undergone a considerable advance; but present prices in New-York are 1½ a 2 cts. higher than in Liverpool; consequently, the rise is factitious, and may never be realized. It has been effected by the agency of bank discounts, and is more directly dependent upon their favors than perhaps any other article. In fact, the 60 day bills of cotton dealers absorb the funds of the banks, and cause a great deal of the difficulty that exists. Pork rose under a speculation based on a small supply. Here again the bank influence was necessary to carry out the speculation. In nearly all the articles of farm produce shipped to England, severe losses have been sustained by the shippers, and this has arisen out of the rail-road speculations; as thus, considerable quantities of produce were shipped to houses in England, who sold them and applied the proceeds to the liquidation of their own debts, having been ruined in the rail-road revulsion. In the articles of butter and cheese severe losses have been sustained. On the former article the losses by a fall in price will average $6 per package. Cheese has done *per se* generally well but for the failures abroad among consignees.

It is a usual result of a general advance in prices that imports increase and exports decrease, and for the same general reason, viz.: that the rise makes it more profitable to import and less so to export. The past year's business has, according to the report of the Secretary of the Treasury, been no exception to the rule. The quantities of United States produce exported for several years have been as follows:

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QUANTITIES OF DOMESTIC PRODUCE EXPORTED FROM THE UNITED STATES.

| | 1841. | 1842. | 1843. | 1844. | 1845. |
|---|---|---|---|---|---|
| Fish, dried,.....qtls. | 352,199 | 256,083 | 174,220 | 571,610 | 288,380 |
| Oil, sperm.....galls. | 349,393 | 287,761 | 466,688 | 451,317 | 1,054,301 |
| " whale.....“ | 4,094,924 | 3,909 728 | 2,479,916 | 4,104,504 | 4,505,662 |
| Whalebone.....lbs. | 1,271,363 | 918,280 | 898,773 | 1,149,607 | 2,084,019 |
| Candles, sperm.....“ | 599,657 | 986,010 | 965,073 | 606,454 | 812,879 |
| " tallow.....“ | 2,145,845 | 1,981,602 | 1,998,357 | 3,086,566 | 3,490,736 |
| Staves .....M. | 42,507 | 31,843 | 19,765 | 23,246 | 21,264 |
| Tar and Pitch.....bbls. | 77,019 | 52,455 | 37,454 | 62,477 | 58,002 |
| Turpentine and Rosin....“ | 244,846 | 277,787 | 188,952 | 362,668 | 347,683 |
| Ashes.....tons | 05,565 | 8,012 | 5,436 | 18,271 | 24,219 |
| Beef.....bbls. | 56,537 | 48,581 | 37,812 | 106,474 | 101,538 |
| Tallow .....lbs. | 980,027 | 7,038,092 | 7,489,582 | 9,915,366 | 10,022,504 |
| Pork .....bbls. | 133,290 | 180,032 | 80,310 | 161,629 | 161,609 |
| Hams.....lbs. | 2,794,517 | 2,518,841 | 2,422,067 | 3,886,976 | 2,719,360 |
| Lard.....“ | 10,594,654 | 20,102,397 | 24,534,217 | 25,746,355 | 20,060,983 |
| Butter.....“ | 3,785,993 | 2,055,133 | 3,408,247 | 3,251,952 | 3,587,489 |
| Cheese.....“ | 1,748,471 | 2,456,607 | 3,440,144 | 7,343,154 | 7,941,187 |
| Sheep.....No. | 14,639 | 19,557 | 13,609 | 12,980 | 6,464 |
| Wheat .....bush. | 868,585 | 817,598 | 311,685 | 558,917 | 389,716 |
| Flour.....bbls. | 1,515 817 | 1.283,602 | 841,474 | 1,438,574 | 1,195,230 |
| Corn.....bush. | 535,727 | 600,308 | 672,608 | 825,282 | 840,141 |
| Corn-meal.....bbl. | 232,284 | 209,199 | 174,354 | 247,882 | 269,030 |
| Bread, ship.....“ | 103,995 | 83,594 | 96,572 | 117,781 | 117,529 |
| Potatoes.....bush. | 136,095 | 194,946 | 144,991 | 183,232 | 274,216 |
| Apples.....bbls. | 25,216 | 14,239 | 15,412 | 22,324 | 54,022 |
| Rice.....tierces. | 101,617 | 114,617 | 106,766 | 134,715 | 118,621 |
| Cotton.....lbs. | 530,204,100 | 584,717,017 | 792.297,106 | 663,633,455 | 872,905,996 |
| Tobacco.....hhd. | 147,828 | 158,710 | 94,454 | 163,042 | 147,168 |
| Hops.....lbs. | 176,619 | 399,188 | 1,182,565 | 664,663 | 902,072 |
| Wax.....“ | 254,088 | 331,856 | 475,727 | 963,031 | 814,499 |
| Spirits.....galls. | 328,791 | 193,060 | 89,546 | 215,719 | 277,514 |
| Molasses.....“ | 1,281,142 | 998,409 | 491,947 | 881,325 | 710,612 |
| Soap.....lbs. | 3,414,122 | 3,854,836 | 3,186,652 | 4,732.751 | 4,138,313 |
| Tobacco, manuf..... “ | 7,503,644 | 4,434,214 | 3,404,252 | 6,066,878 | 5,312,971 |
| Lead..... “ | 2,177,164 | 14,552,357 | 15,366,918 | 16,420,407 | 10,188,024 |
| Nails..... “ | 2,387,514 | 2,156,223 | 2,629,201 | 2,945,634 | 1,353,967 |
| Sugar, refined..... “ | 13,435,084 | 3,480,346 | 598,884 | 1,671,107 | 1,997,992 |
| Gunpowder..... “ | 1,389,948 | 1,539,284 | 436,589 | 1,227,654 | 1,125,209 |
| Salt.....bush. | 215,084 | 110,400 | 40,678 | 157,529 | 131,500 |
| Leather.....lbs. | 390,655 | 363,693 | 317,560 | 591,951 | 1,192,902 |
| Cotton goods.....$ | 3,122,546 | 2,950,690 | 3,293,551 | 2,898,780 | 4,327,928 |

The year closed before the English advices had begun to stimulate the large export which took place in the autumn, and which also drew forth increased quantities from the interior, enhancing the business and swelling the tolls on the public works. The following is a statement of the leading articles of produce delivered at tide-water from the New-York canals, for years corresponding to the above:

RECEIPTS OF PRODUCE AT TIDE-WATER ON THE NEW-YORK CANALS.

| | 1841. | 1842. | 1843. | 1844. | 1845. |
|---|---|---|---|---|---|
| Boards.....ft. | 177,720,349 | 150,657,900 | 177,402,600 | 232,434,700 | 237,924,666 |
| Pork.....bbls. | 115,150 | 79,233 | 63,777 | 63,646 | 45,153 |
| Beef..... “ | 18,113 | 11,437 | 47,465 | 50.000 | 67,699 |
| Cheese.....lbs. | 14,171,081 | 19.004.613 | 24,336,260 | 25,674,500 | 27,542,861 |
| Butter } ..... “ | 16,157,053 | 19,182,939 | 24,215,700 | 22,569,300 | 21,825,455 |
| Lard } ..... “ | | | | | 3,064,800 |
| Wool..... “ | 3,617,075 | 3,335,148 | 6,266,400 | 7,672,300 | 9,504,039 |
| Flour.....bbls. | 1,647,492 | 1,577,555 | 2,073,708 | 2,222,104 | 2,517,250 |
| Wheat.....bush. | 781,055 | 928,347 | 827,346 | 1,262,249 | 1,610,033 |
| Clover..... “ | 3,571,934 | 2,411,930 | 4,343,300 | 4,594,800 | 3,161,200 |
| Flax..... “ | 966,263 | 2,096,360 | 2,216,900 | 3,114,080 | 8,403,960 |
| Leather.....lbs. | 1,856,900 | 2,015,050 | 2,684,300 | 3,909,000 | 15,363,925 |

It is observable, that the year for the canal exports closes five months later than the fiscal year of the United States. This makes a difference in the proportion exported, inasmuch as that the foreign demand which took

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place in the autumn, caused much larger receipts, via canal, than would otherwise have been the case: and the consequent exports will appear in the next year's United States returns. The state of the foreign markets, at this time, is such as warrants the anticipation of a large export of produce. The quantities of produce in store at the west are undoubtedly large; probably 2,250,000 bushels of wheat, in flour and wheat, will be ready to come forward; as also a quantity of pork will be packed, perhaps double that of last year—a natural result of the high prices that have ruled during the year. Other articles of farm produce will doubtless also be abundant in supply. The time is now approaching, however, to test fully the capacity of the demand induced by a short crop in England, at low duties. At the latest dates the price of corn, and breadstuffs generally, was beginning to advance in England, consequent upon the diminishing stocks of grain. Fears were also entertained for the coming crop of potatoes, inasmuch as that indications of the continuance of the rot were manifest. On the continent of Europe prices were high, and it was apprehended that the crop was much shorter in many sections than was at first supposed. At such a juncture, viz.: with breadstuffs, scarce and high on the continent, with a growing demand in England, the modification of the tariff is about to take place. Resolutions were agreed to on the 6th March, in the House of Commons, imposing the following rates of duties on imported grain, until the 8th day of Feb., 1849:

1. *Resolved*, That in lieu of the duties now payable on the importation of corn, grain, meal or flour, there shall be paid, until the 1st day of February, 1849, the following duties, viz:

| | s. | d. |
|---|---|---|
| If imported from any foreign country, | | |
| Wheat, | | |
| Whenever the average price of wheat, made up and published in the manner required by law, shall be for every quarter— | s. | d. |
| under 48s, the duty shall be for every qr | 10 | 0 |
| 48s and under 49s | 9 | — |
| 49s and under 50s | 8 | 0 |
| 50s and under 51s | 7 | 0 |
| 51s and under 52s | 6 | 0 |
| 52s and under 53s | 5 | 0 |
| 53s and upwards | 4 | 0 |
| Wheat, meal and flour, | | |
| For every barrel, being 196 lbs. a duty equal in amount to the duty payable on 38½ gallons of wheat. | | |
| If the produce of and imported from any British possession out of Europe. | | |
| Wheat, barley, oats, rye, &c., the duty shall be for every qr | 1 | 0 |
| Wheat-meal, barley-meal, oat-meal, &c., the duty shall be for every cwt | 0 | 4½ |

And that from and after the said 1st of February, 1849, there shall be paid the following duties, viz:

| | s. | d. |
|---|---|---|
| Wheat, barley, oats, rye, &c, for every qr | 1 | 0 |
| Wheat-meal, oat-meal, rye-meal, &c., per cwt. | 0 | 4½ |

2. *Resolved*, That in lieu of the duties of customs now chargeable on the articles undermentioned, imported into the United Kingdom, the following duties shall be charged, viz:

| | s. | d. |
|---|---|---|
| Buckwheat, the quarter | 1 | 0 |
| Maize, or Indian-corn, the qr | 1 | 0 |
| " meal, the cwt | 0 | 4½ |
| Rice, the cwt | 1 | 0 |
| " of and from a British possession, the cwt | 0 | 6 |
| " rough and in the husk, the qr | 1 | 0 |
| " of and from a British possession, the qr | 0 | 1 |

At these low rates of duty a market must be found for a large portion of the surplus of the United States; and the more readily, that under the operation of the Independent Treasury, there will be less of that pernicious holding of stock in the hands of speculators for an exorbitant rise. It is a fallacy to suppose, that under the action of a specie clause, exportable farm produce will be lower than with a paper currency. If, by the operation of an expanded currency, prices of farm produce rise so high as to make it unprofitable to export it, the accumulating surplus must break the market down, until the stock can again find a foreign vent. On the other hand, with a steady foreign demand, such as that which may be anticipated under low English duties, the price there must always prevent any great fall here; as, for instance, in the article of cotton, most of which is sold in England, the price is not governed by the state of the currency here, but by the state of the demand there; a paper inflation on this side of the Atlantic only involves in loss those shippers who buy at the paper prices here to sell at the cash prices there. On the 10th of March sweet western canal flour, in Liverpool, in bond, was worth 27s., or $6 48 per barrel; any inflation of the currency here that would affect prices, would not alter the value in the market of sale—it would only prevent export; on the other hand, with a steady specie currency here, the prices could never fall much lower than a point that will admit

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of a profitable export. The capacity of the western country to raise wheat for the supply of England, and even of the western countries of Europe, cannot be doubted. Feeble attempts have been made, for political reasons, to produce doubts as to the benefits which a market for United States breadstuffs in England will confer upon the western farmers. A few months of an open trade must, of itself, carry conviction to all parties, that an extended sale of the products of industry can be of no injury to any portion of the community: far less to that hardy and enterprising race before whose energy the wilderness has been subdued, and the most prolific lands perhaps ever cultivated, brought into the supply of food for distant countries, and their proceeds made available by means of public works, the rivalry on which is constantly reducing the cost of transportation.

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## NOTICES OF NEW BOOKS.

*History of New Netherlands; or New-York under the Dutch.* By E. B. O'Callaghan, Corresponding Member of the New-York Historical Society. New-York: D. Appleton & Co.

The grand use of history is suggested by that declaration of the wisest of men—"As in water face answereth to face, so the heart of man to man." The character of man, in all its substantial features, is always the same: it may, indeed, be greatly modified by the influence of circumstances, but in its original elements it changes not—the veriest savage of the wilderness is constituted with faculties which, under an appropriate training, might render him a bright star in the intellectual firmament. Hence the men who *have* lived became teachers to those who live now, and thus the past becomes a mighty source of instruction to the present. Hence, too, the historian, the man who makes out a faithful record of the experience of by-gone generations, becomes pre-eminently the benefactor of his race: so long as his work remains, he lives in it as the faithful monitor and guide of each successive generation.

But while the office of the historian may be and should be a channel of the richest blessings, not only to his own generation but to posterity, let it be borne in mind, that it is early susceptible of being perverted to purposes of unmeasured evil; for if he writes falsely, or partially, or superficially, or even bunglingly, he has the responsibility of conveying erroneous impressions to his readers, or of taxing their faculties to no purpose, or at least of leaving their minds in an uncertain and unsatisfied state. It admits of no question that History has often served no better end than to misrepresent and falsify the actual reality of things; and the worst effect in such cases has been realised, where, along with the spirit of misrepresentation or partiality, is combined the highest order of literary attraction. It hence becomes a man who adventures upon the task of giving the world a history—no matter whether it comprehends a wider or a more limited field—carefully to count the cost of the enterprise; to inquire diligently whether he has the requisite qualifications for the work which he meditates, and to bear in mind continually, as he fulfils his task, that he is acting in some sense as the interpreter of Providence, and that he is responsible to posterity and to God for the manner in which he fulfils it.

While we are fully of the opinion that many a man ventures into the department of history, who is at best nothing more than a cumberer of the ground, and who, if he consulted his own reputation or the benefit of his fellow men, would betake himself to some other vocation, we are free to say that we do not mean to apply this remark to the very respectable author of the present work. The task which he has set himself to perform was one of no ordinary interest, whether considered in reference to its importance or its difficulty. It was important, as it contemplated nothing less than an elucidation of a portion of the history of what is now the most important state in the Union—a portion, too, which, notwithstanding the extensive material that has existed, has been hitherto passed by in almost utter neglect. It was difficult, from the circumstance that scarcely an essay had been

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previously made towards its accomplishment, so that nothing remains for our historian, but to go to work and do the whole thing himself. And besides, though the materials out of which the history was to be framed were ample enough, yet they were, to a great extent, to be brought together from the four winds, and not a small part of them from beyond the ocean; and even those which were at hand in our public offices were veiled in the thick mystery of the mother Dutch. Doctor O'Callaghan, estimating aright the importance of the object, set himself earnestly, and fearlessly, and perseveringly to encounter its difficulties; and the result shows that he was to be limited not less for diligence and fidelity than good taste and good judgment. First of all, he set about acquiring a thorough knowledge of the Dutch language, as that was the only key to unlock the treasures of information from which he was to draw; and having done this, he went doggedly to work to examine the mass of records in our State Department relating to the earliest periods of our history. At the same time he found access to various other important sources of information, chiefly of a more private nature; and he was particularly assisted by the laborious and praiseworthy researches of Mr. Broadhead, who was sent out several years since to the Hague, as our historical agent. Nor is his diligence in collecting materials more to be praised than his judgment and faithfulness in arranging and disposing of them. The style of the work is simple and perspicuous, the arrangement easy and natural, and every important statement that is made is backed by competent authorities. In reading the work, one quickly acquires the feeling that the author had no other end to answer than to state the simple truth, and give it its full effect upon the minds of his readers; and this feeling, it is hardly necessary to say, is not less favorable to the author than it is agreeable to the reader.

The work is comprehended in three books—the first extending from the discovery of America, in 1492, to the incorporation of the Dutch West India Company, in 1621; the second from the incorporation of the Dutch West India Company to the opening of the fur, or Indian trade to the inhabitants of New Netherlands, in 1638; —and the third from the opening of the Indian trade to the end of Director Kieft's administration, 1647. There is also a copious Appendix, containing various original records and other documents, which throw much light upon the main history. We are glad to see that the author proposes to continue his researches; and if the present volume meets with sufficient encouragement, as we cannot doubt that it will, to bring out in due time another volume, comprising the remaining part of the history, which he has so very successfully commenced.

The third chapter of the first book contains one of the most graphic accounts that we remember to have seen, of the superstitions of the original inhabitants of the country. In connection with this, there is a curious paragraph in regard to "medicine-men," which we transfer to our columns, not only as a fair specimen of the author's style, but as an illustration, especially when taken in connection with some modern discoveries, of the well known proverb, that "there is no new thing under the sun."

Having given somewhat in detail the views of the Indians in regard to several matters connected with religion, he proceeds to say:

"All these crude and confused opinions were considerably fostered and encouraged by a class of persons among them called medicine-men or sorcerers, who lived by, and throve upon the ignorance and simplicity of their dupes, and whose influence was almost unbounded among their tribe. For they pretended not only to divine the future, to expound the troubled and undigested dreams of the hunter or warrior, but to heal the wounds and diseases which these wild men received in their exp ditions in search of glory and of food. Their medical and surgical skill was, however, of the humblest sort. The gum of the pine tree furnished them with a ready application for wounds of all descriptions. Rheumatic pains or inflammatory disease, were subjected to the relaxing power of the vapor bath, with which were combined scarifications of the painful parts. From the vapor bath the Indian medicine-man, the original Preasnitz and first Hydropathist of this continent, flung his patient, all teeming with perspiration, into the nearest pond or river, and by this practice succeeded in many cases in restoring health. But should the disease exceed his skill, he immediately ascribed it to the secret agency of malignant spirits. He then changed his character. No longer a physician, he became a magician. He sung and danced around his patient, invoking his God with loud cries. He felt all over the sick man's body for the enchanted spot; rushed upon it like a mad-man: tore it with his teeth, often pretending to show a small bone or other object that he had extracted, and in which the evil-one had been seated. The process was repeated the next day with increased violence, or the unfortunate patient was surrounded with men of straw wearing wooden masks, all of the most frightful shapes, in the hope of scaring away the mysterious tormentor—or a painted image was made, which the medicine-man pierced with an arrow, pretending to vanquish the foul fiend thereby. Various other mummeries, each more absurd than the other, were had recourse to, ill the midst of which the sick man expired, leaving the confidence of the people in their mighty medicine-man equally strong and unshaken. It is not strange that in such a state of society, thousands were swept away on the visitation of any epidemic or plague, which communications with Europeans afterwards might have introduced among them,—the ravages of which their own ignorance and superstition only augmented in a ten-fold degree."

In turning over the leaves of this book, one can scarcely fail to be struck with the fact that so large a portion of its contents are from hitherto unexplored sources of

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intelligence, and that it answers satisfactorily various questions which have arisen in the course of one's general reading. To instance only a single particular, the author has traced out with great care the origin of the present names of places in our state, and in doing so, has conferred a most important public benefit; for on scarcely any subject has there prevailed hitherto a more extensive—we had almost said—a more disgraceful ignorance. Indeed, whoever reads this book will find himself in communion with a well informed mind on subjects of great interest; and he will be glad to know, when he has finished reading, that he may hope, at no distant period, again to meet the author who has entertained and instructed him so much, in another equally edifying and useful volume.

After having given the names of the publishers, it is hardly necessary to add, the mechanical execution of the book is in the best style of American printing.

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*American Phreno-Mnemotechny; or, the Art of Memory*, theoretical and practical, on the basis of the most recent discoveries and improvements in Europe and America; comprehending a Phreno-Mnemotechnic Dictionary, and the principles of the art, as applied to different historical and scientific subjects. By PLINY MILES, Corresponding Member of the N. Y. Historical Society, author of Elements of Phreno-Mnemotechny, &c. &c. New-York: Wm. Taylor & Co., 2 Astor House. 1846. pp. 210–64–96.

This is the work of a popular American lecturer on the subject—a man of originality, good address, pleasing manners, and a happy mode of illustration. Taking as a basis for his study the prior works of Fineaigle, Amie Paris, and Gouraud, and with the *figure-alphabet* of the former as his ground-work, Professor Miles has evinced original powers of thought, combination and illustration, in handling this new and fascinating science. He has thrown a large amount of historical and statistical research into the shape of formulas and tables, which, while they exercise the memory, convey useful lessons of instruction. No man, in this department, has been better received or better known in the great area of the west, than the author of this work. It is only necessary to examine it, to perceive that he is not only quite at home on all the questions upon which its advance depends, but he has not contented himself with exhibiting it as it dropped from the hands of others. He appears as an original laborer in the field. He is full of suggestive matter in his manner of treating it, and has applied it to numerous topics, which were before untouched—such as the *tariff of* 1842, local *American* history, *sacred* biography, &c. Although the work is, manifestly, designed as a hand-book for his classes, it is not less adapted to be the vade mecum of Mnemonic students, and is a proper and valuable contribution to the library of the professional man, the philosopher, and the common reader.

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*Memoir of James de Veaux*, of Charleston, S. C., member of the National Academy of Design, New-York.

This is an interesting tribute to one of South Carolina's distinguished sons, by Robert W. Gibbes, and, as the imprint sets forth, is published for the benefit of his family. The work is comprised mostly of the letters of De Veaux, which were written in his moments of excitement, while free from the depression which was so often said to hang as a lurid cloud over the bright light that beamed from his "mind's eye." They are spirited and sketchy, full of sportive allusions and playful imagery; many of them abounding with sparkling thoughts and beautiful ideas. We trust that as a tribute to departed genius, the book will find ready and extended sales.

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*Will there be War?* Analysis of the elements which constitute, respectively, the power of England and the United States. By an Adopted Citizen.

This is a pamphlet of some forty-four pages, embracing a series of papers on the political events now passing between the United States and foreign powers. The writer, a gentleman of leisure and a sound Democrat, who has spent his time between New-York, Paris, and London of late, has had rare opportunities of watching the progress of events, and has traced cause to effect with great skill and sagacity. Many of the papers contained in this work were published in the Paris papers more than a year since, in answer to the attacks of the Parisian press upon our Democratic institutions. Our space will not now allow of a more extended notice. We will recur to it again.

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*Library of Sacred Music;* consisting of Solos, Duetts, Anthems, &c.; Wyman & Newell, 150 Fulton-street.

This is a neat quarto, published in numbers, containing a choice selection from the Oratorios of Handel, Haydn, Mendelssohn, &c., with original compositions from American authors.

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*A Complete Descriptive and Statistical Gazetteer of the United States of America;* containing a particular description of the States, Territories, Counties, Districts, Parishes, Cities, Towns and Villages, Mountains, Rivers, Lakes, Canals and Rail-Roads; with an abstract of the Census and Statistics for 1840, exhibiting a complete view of the Agricultural, Commercial, Manufacturing and Literary condition and resources of the country. By DANIEL HASKELL, A. M. (late President of the University of Vermont,) and J. CALVIN SMITH, (author of a new map of the United States.) New-York: Sherman & Smith, corner of Cedar-st. and Broadway. 1846.

This is a most valuable work, prepared and issued at great expense and labor. We know of none which gives a better or more full exhibition of the present condition of the United States, or in which can be found such a mass of evidence of the rapid increase of our population and wealth. The general information is brought down to the latest date; and all the existing post-offices, and their distance from the capital of the state in which they are located, and from Washington, given. No counting-house should be without it.

This enterprising firm have also issued a large map of the United States, to accompany the Gazetteer, comprising all the counties and towns of any note in the several states—probably the most full and authentic map to be found. Both of these will prove invaluable to men of business.

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*Contributions to the Edinburgh Review.* By FRANCIS JEFFREY, now one of the Judges of the Court of Sessions in Scotland. 4 vols. in one. Carey & Hart.

This volume contains a choice selection, by himself, of the contributions of Francis, now Lord Jeffrey, to the Edinburgh Review, during the long period of 38 years, viz. from Oct., 1802, to Oct., 1840. From the year 1803 to 1829 Mr. Jeffrey was the sole editor of the Edinburgh. At that time he was elected to the office of Dean of the Faculty of Advocates, and he withdrew in consequence, from the management of the work which he had so long and ably conducted. The collection now presented to us, under the sanction of the author, embraces the ablest reviews of the ablest reviewer of the age, and, notwithstanding the length of time that has elapsed since the publication of some of them, affords a rare and valuable series of papers. It is dedicated to the late Rev. Sydney Smith, the original proprietor of the Edinburgh Review.

*Self-Formation:* or, the History of an Individual Mind; intended as a guide for the Intellect through Difficulties to Success. Wm. Crosby & H. P. Nichols, Boston.

This is a valuable and useful work on the subject of self-education. It is perfectly original, both in plan and execution, and meets the case as no other, among the multitudinous books which have appeared with a similar design has at all succeeded in doing. It is that which the unaided searcher for mental elevation and improvement wants to give him impulse, aid and encouragement in the arduous and often disheartening task of self-discipline. To him to whom self-education is the only instructor he can have—and who can have better—there can be no better aid in teaching him to think, to speak, and to compose, than this book.

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*Journal of Researches into the Natural History and Geology of the Countries visited during the Voyage of H. B. M. S. Beagle round the world.* By CHARLES DARWIN, M. A., F. R. S. In two vols. Harper & Brothers.

The voyage of the Beagle, under the direction of the British Government, was a scientific exploring expedition, and, at special request of the Lords of the Admiralty, Mr. Darwin accompanied it. The results of his labors were published in several elaborate and costly volumes of great value to the scientific world, but far beyond the reach of the larger proportion of the leading world. The volumes before us were prepared in a most acceptable form, comprising, in a condensed view, the general results of the expedition, imparting the information, collected by such an expenditure of money, time and scientific skill, to the reading world, in two elegant volumes of Harper's New Miscellany, at fifty cents each. The narrative is enlivened with the most interesting incidents of personal adventure, while it developes new and important facts in Geology, Natural History and Geography. We cannot but look upon this class of publications as the most desirable to lay before the community, and we doubt not but it will become the most popular. The appetite soon palls with the exciting verbiage which has of late deluged the market, and the perusal of which occupies the time and vitiates the taste without adding to the stock of knowledge. The journey of Parrott to Ararat, which we have before noticed as part of the same series of publications with the volumes of Darwin, are equally as interesting as the most popular romances of the day, while they convey solid information of the most desirable kind.

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*Typee; a Residence in the Marquesas.* By Herman Melville. Wiley & Putnam, 161 Broadway, New-York.

These volumes are perhaps of the most interesting of Wiley & Putnam's deservedly popular "Library of American Books." The adventures are of a youth in the romantic islands of the Pacific Ocean, among a strange race of beings, whose manners and modes of life are by no means familiar to us. The scenes, described with peculiar animation and vivacity, are of a description that must task the credulity of most plain matter of fact people; yet they are without doubt faithfully sketched, and afford evidence of "how little half the world knows how the other half lives." The fairy vales of the Marquesas are represented as presenting all that nature and a most favored clime can contribute to the happiness and enjoyment of man, and inhabited by a primitive race with whom the intercourse of the author appears to have been on the best possible terms. The volumes are of a most amusing and interesting description.

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*The Design of the Church as an Index to her Real Nature and the true law of her Communions.* By John Miller, Pastor of the Presbyterian Church in Frederick, Md. Saxton & Miles, 205 Broadway.

This is a small, but well got up volume, mostly occupied with doctrinal views of the author upon the topic indicated in the title. The plan of the work seems to be a division of four periods, of ten thousand years each, indicating that at each successive period God gave by Adam, by Abraham, by Christ and by Luther, to man, a pure religion, which successively grew corrupt by "exalting of externals." The matter is treated well and forcibly.

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*The Wilderness and the War Path.* By James Hall, Author of London Tales. Wiley & Putnam, New-York.

This volume forms Number 15 of the "Library of American Books." The author, Mr. Hall, is well known as the able author of "Notes on Western States," "Legends of the West," &c., and is probably more familiar with the habits and manners of the North American Indian than any living author. His well known power of description adds a charm to the series of stories before us, illustrative of that aboriginal character which Mr. Hall is so well calculated to portray. The stories are highly interesting, and constructed with great ingenuity.

*Jessie's Flirtations.* By the author of "*Kate in Search of a Husband.*" Harper & Brothers.

This is a very interesting story of some 115 pages, published in the neat and incredibly cheap style in which the Messrs. Harpers have put out the most readable and popular works of the age.

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*The Old Continental; or The Price of Liberty.* By J. K. Paulding. New-York, Paine & Burgess, 61 John-street.

This is a welcome present to the admirers of the "Dutchman's Fireside." It will, however, be more highly appreciated, when it is known that many of the incidents of the tale and some of its actors are historical and traditious. It is a faithful picture of the deeds and sufferings of that sturdy race of patriots, who, in the times that "tried men's souls," won the priceless jewel of liberty, that it is our great privilege to preserve and transmit to posterity. The work delineates the toils and sufferings so cheerfully borne by our progenitors as the price of freedom.

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*The Philosophy of Reform.* By the Rev. C. Billings Smith. New-York, Gates & Steadman.

This is a neat volume, and the design of its author is avowed to be developed in a new plan of discovery, and pointing out the exact position for which man was created and to which he will one day attain. This plan appears to be the tracing of the influence of the Church upon past epochs of reformation that have succeeded each other since the creation of the world, and more particularly since the coming of Christ. The plan is pursued with vigor and tact. How far an attentive perusal of the work will go to carry conviction to the minds of the readers, is a matter of which experience is the best test.

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*A First Latin Book.* By T. K. Arnold, M. A., Rector of Lyndon, and late Fellow of Trinity College, Cambridge; carefully revised and corrected by Rev. J. A. Spencer, A. M., (from the fifth London edition.) New-York, D. Appleton & Co. Philadelphia, G. S. Appleton. 1846.

Those who have had even a brief experience in the study of the ancient languages, can appreciate the value of a system which, beginning with the simplest parts of speech, proceeds, step by step, to develope their nature and relations in a se-

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ries of practical exercises in parsing, and in framing sentences, so as to make the learner familiar alike with the etymology and syntax of the language as he advances. Such, to a great extent, is the principle of Ollendorf, on which Mr. Arnold has based this series. The pupil is not only taught to parse the different parts of speech in the vocabulary in a series of simple and progressive exercises, but is made acquainted with most of the peculiarities and idioms of the language. He learns to resolve Latin into English and English into Latin. His progress, at first, is necessarily slow, but is eventually in a greater ratio the more rapid.

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## CENSUS OF THE STATE OF NEW-YORK:

**SHOWING THE POPULATION OF EACH COUNTY FOR FIVE ENUMERATIONS; ALSO, THE APPORTIONMENT.**

| *Counties.* | 1825. | 1830 | 1835. | 1840. | *Apportion.* | 1845. | *Apportion.* |
|---|---|---|---|---|---|---|---|
| Albany | 42,821 | 53,560 | 59,762 | 68,545 | 3 | 77,268 | 4 |
| Allegany | 18,164 | 26,218 | 35,214 | 40,920 | 2 | 40,084 | 2 |
| Broome | 13,893 | 17,582 | 20,190 | 22,348 | 1 | 25,806 | 1 |
| Cattarangus | 8,634 | 16,726 | 24,986 | 28,803 | 2 | 30,109 | 2 |
| Cayuga | 42,743 | 47,947 | 49,202 | 50,362 | 3 | 49,663 | 3 |
| Chautauque | 20,640 | 34,657 | 44,869 | 47,641 | 3 | 46,548 | 2 |
| Chemung | Organized 1836. | | | 20,731 | 1 | 23,689 | 1 |
| Chenango | 34,215 | 37,404 | 40,762 | 40,799 | 3 | 39,900 | 2 |
| Clinton | 14,485 | 19,344 | 20,742 | 28,178 | 1 | 31,278 | 1 |
| Columbia | 37,970 | 39,952 | 40,746 | 44,237 | 3 | 41,976 | 2 |
| Cortland | 20,271 | 23,693 | 24,168 | 24,605 | 2 | 25,081 | 1 |
| Delaware | 29,565 | 32,933 | 34,192 | 35,363 | 2 | 36,990 | 2 |
| Dutchess | 46,698 | 50,926 | 50,704 | 52,488 | 3 | 55,124 | 3 |
| Erie | 24,316 | 35,710 | 57,594 | 62,153 | 3 | 78,635 | 4 |
| Essex | 15,993 | 19,387 | 20,699 | 23,611 | 1 | 25,102 | 1 |
| Franklin | 7,978 | 11,312 | 12,501 | 16,450 | 1 | 18,692 | 1 |
| Fulton | Organized 1838. | | | 18,038 | 1 | 18,579 | 1 |
| Genesee | 40,905 | 51,992 | 58,588 | 31,143 | 2 | 28,845 | 2 |
| Greene | 26,229 | 29,525 | 30,173 | 30,446 | 2 | 31,957 | 2 |
| Hamilton | 1,196 | 1,324 | 1,654 | 1,907 | 1 | 1,882 | 1 |
| Herkimer | 33,040 | 35,869 | 36,201 | 37,378 | 2 | 37,424 | 2 |
| Jefferson | 41,650 | 48,515 | 53,088 | 61,064 | 3 | 64,999 | 3 |
| Kings | 14,679 | 20,537 | 32,057 | 47,613 | 2 | 78,691 | 3 |
| Lewis | 11,669 | 14,958 | 16,093 | 17,849 | 1 | 20,218 | 1 |
| Livingston | 23,860 | 27,719 | 31,092 | 35,710 | 2 | 33,193 | 2 |
| Madison | 35,646 | 39,037 | 41,741 | 40,007 | 3 | 40,987 | 2 |
| Monroe | 39,108 | 49,862 | 58,085 | 64,912 | 3 | 70,899 | 3 |
| *Montgomery | 39,706 | 43,595 | 46,705 | 35,801 | 2 | 29,643 | 2 |
| New-York | 166,086 | 203,007 | 270,089 | 312,932 | 13 | 371,223 | 16 |
| Niagara | 14,069 | 18,485 | 26,470 | 31,114 | 2 | 34,550 | 2 |
| Oneida | 57,847 | 71,326 | 77,518 | 85,327 | 4 | 84,776 | 4 |
| Onondaga | 48 435 | 58,974 | 60,908 | 67,914 | 4 | 70,175 | 4 |
| Ontario | 37,422 | 40,167 | 40,870 | 43,501 | 3 | 42,592 | 2 |
| Orange | 41,732 | 45,372 | 45,096 | 50,733 | 3 | 52,227 | 3 |
| †Orleans | 14,460 | 18,773 | 22,893 | 25,015 | 1 | 25,845 | 1 |
| Oswego | 17,875 | 27,104 | 38,245 | 43,820 | 2 | 48,441 | 2 |
| Otsego | 47,898 | 51,372 | 50,428 | 49,412 | 3 | 50,509 | 3 |
| Putnam | 11,866 | 12,701 | 11,551 | 12,825 | 1 | 13,258 | 1 |
| Queens | 20,331 | 22,276 | 25,130 | 30,324 | 1 | 31,849 | 1 |
| Rensselaer | 44,065 | 49,472 | 55,515 | 60,303 | 3 | 62,338 | 3 |
| Richmond | 5,902 | 7,084 | 7,692 | 10,985 | 1 | 13,673 | 1 |
| Rockland | 8,016 | 9,388 | 9,696 | 11,874 | 1 | 13,741 | 1 |
| Saratoga | 36,295 | 38,616 | 38,012 | 40,450 | 2 | 41,477 | 2 |
| Schenectady | 12,876 | 12,334 | 16,230 | 17,233 | 1 | 16,630 | 1 |
| Schoharie | 25,926 | 27,910 | 28,508 | 32,351 | 2 | 32,488 | 2 |
| Seneca | 20,169 | 21,031 | 22,627 | 24,868 | 1 | 24,972 | 1 |
| St. Lawrence | 27,595 | 36,351 | 42,047 | 56,693 | 2 | 62,354 | 2 |
| Steuben | 29,245 | 33 675 | 41,535 | 45,993 | 3 | 51,679 | 3 |
| Suffolk | 23,695 | 26,780 | 28,274 | 32,469 | 2 | 34,579 | 2 |
| Sullivan | 10,378 | 12,372 | 13,755 | 15,630 | 1 | 18,727 | 1 |
| Tioga | 19,951 | 27,704 | 33,999 | 20,350 | 1 | 22,456 | 1 |
| Tompkins | 32,908 | 36,545 | 38,008 | 38,113 | 2 | 38,168 | 2 |
| Ulster | 32,015 | 36,551 | 39,960 | 45,724 | 2 | 48,907 | 2 |
| Warren | 10,906 | 11,795 | 12,034 | 13,470 | 1 | 14,908 | 1 |
| Washington | 39,280 | 42,615 | 39,326 | 41,095 | 2 | 40,504 | 2 |
| Wayne | 26,761 | 33,555 | 37,788 | 42,160 | 2 | 42,515 | 2 |
| Westchester | 33,131 | 36,456 | 38,790 | 45,637 | 2 | 47,578 | 2 |
| Wyoming | | | | 28,497 | 2 | 27,205 | 2 |
| †Yates | 13,214 | 19,009 | 19,796 | 20,442 | 1 | 20,777 | 1 |
| Total | 1,617,349 | 1,918,608 | 2,173,015 | 2,429,476 | 128 | 2,604,495 | 128 |

* Exclusive of Hamilton. † Organized 1825.

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THE

# UNITED STATES MAGAZINE

AND

# DEMOCRATIC REVIEW.

VOL. XVIII. JUNE

## HISTORY OF CONSTITUTIONAL [illegible] STATES.

NEW SERIES

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THE

UNITED STATES MAGAZINE,

AND

DEMOCRATIC REVIEW.

VOL. XVIII. JUNE, 1846. No. XCVI.

# HISTORY OF CONSTITUTIONAL REFORM IN THE UNITED STATES.—(*Continued.**)

## NEW-YORK.

THE present Constitution of the State of New-York was adopted at a time when the subject of Constitutional Science was very imperfectly understood, and when but few of our public men had sufficient confidence in the theory of popular sovereignty to abandon themselves freely to the policy which it dictated. Since then, the political experience of this state has been exceedingly instructive—more so than that of any other in the confederacy—and all classes of her people have become fully impressed with the wisdom and entire practicability of a style of legislation, which in 1821 was generally esteemed visionary and disorganizing, which was appreciated by very few of our public men, and of these, scarcely one had enough faith in its adaptation to our society, to press its adoption.

From these circumstances, and from the multitude of reforms already projected, we have reason to presume that the result of the labors of the Convention soon to sit in this state, will be rather a new than an amended Constitution, unless the wishes of the people are grievously misrepresented by the delegates they have commissioned.

In reviewing the history of the late Reform movement in the State of New-York, however, it is worthy to be borne in mind, that it originated in one single cause—the improvidence of the Legislature in contracting debts on behalf of the state. Though the wretched inefficiency of the judiciary and the corrupting influences of executive patronage had for a long time been creating a public sentiment which, sooner or later, must have found expression in the fundamental law, and though their reform have since become paramount to every other in importance, yet in connexion with those abuses had no Constitutional Reform been suggested, until after the state had been threatened with bankruptcy, and the people had been invoked in various quarters to provide by constitutional guaranties against the impending calamity and disgrace. To realize the depth of the present popular movement, therefore, and the extent of the grievances of which the people of New-York complain, it is

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* Democratic Review, April, 1846.

necessary to look especially to the financial history of the state for the last ten years.

The aggregate debt of the State of New-York in 1842, amounted to $28,000,000 and upwards, most if not all of which was contracted subsequent to 1836. This debt arose partly from advances to banks—partly from improvident loans of the state credit to railroad companies, and partly from enormous expenditures in building new and improving old canals. To meet this debt, together with the other necessary expenses of the state, required an annual levy of $10,500,000 to be made upon 2,500,000 of people—a tax of $4.20 for each man, woman and child in the state.* While the state was borne down by this oppressive taxation, the government was urging on the appropriation of yet larger sums for kindred purposes, upon the plea that the returns from these works would sink their cost before they were to be paid for, and ultimately would prove a source of revenue to the state. The cost of the public works in progress, with those which were in contemplation in 1842, would have raised the debt of the state inevitably to $75,000,000 and upwards, requiring the payment of an annual interest of at least $4,500,000.

As early as February, 1841, Mr. Loomis, a Democratic member of Assembly from Herkimer County, brought before the Legislature a proposition which had been agitated for some two years in his county, and which is now generally known throughout the state under the title of the "People's Resolution." This resolution provided for amending the Constitution in such manner, as to require that every law creating a state debt, except in cases of invasion or insurrection, should be submitted to the popular vote at a general election. On the 19th of May, 1841, this resolution was first brought to a vote, and 53 voting in the affirmative, and 53 in the negative, it could not be submitted to the succeeding Legislature for ratification, pursuant to the provisions of the Constitution.

During the same session, and in the same body, Michael Hoffman, also a Democratic delegate from Herkimer County, presented an elaborate report upon the financial condition and prospects of the state, which he accompanied with a bill intended to protect the credit of the state, and providing, among other things, for the suspension of the public works. This bill, with only some slight modifications, became a law, during the following session of 1842.† During the same session, the "People's Resolution" was introduced, and was lost by a vote of 55 in the affirmative, to 49 in the negative—55 being less than a majority of the whole body.

The act suspending the public works, and providing by taxation for the maintenance of the state credit, awakened unusual energy in both of the great political parties during the spring and summer of 1842; and at an extra session of the Legislature, convened in August, for the sole purpose of districting the state for the choice of members of Congress, W. H. Seward, then governor of the state, presented a special message to the Legislature, in which he called upon them to rescind the law of the preceding March, which suspended the public works. This subject received an animated discussion in the Assembly, and was the controlling issue at the following fall election, which resulted in a Democratic majority of more than 20,000.

It was reasonably to have been expected, that so decisive a vote would have secured for Mr. Loomis' amendment, or for some provision similar to it, prompt admission into the Constitution. It was not, however, so ordained. It was when their failure for that session was apparent to the friends of reform; and in the month of February, 1843, that the somewhat famous "Herkimer memorial" was addressed to the Legislature, which, after stating all the grievances by which the people were weighed down, or threatened from excessive taxation, concluded with praying for the passage of a constitutional guaranty against the contraction of state debts, corresponding in principle with the resolution of Mr. Loomis—"or,"

* Herkimer County Memorial to the Legislature of New-York, February, 1843.
† "Act to Provide for Paying the Debt and Preserving the Credit of the State," passed March 29, 1842.—Session Laws, 1842, p. 79.

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in the words of the memorialists, "if the Legislature shall decline to propose such amendment of the Constitution, then we ask that a Convention of the people of this state be by law called to revise and amend the Constitution." This memorial was headed—we believe it was also written—by Mr. Hoffman, and was subscribed by several of the soundest and wisest Democrats in the state.

At the rising of the Legislature, in the spring of 1843, it had become apparent to the reformers, that they could place no reliance whatever upon the Legislature, and that the alternative of a Convention, presented by the Herkimer memorialists, was now the only process of relief worth laboring for. To this end, therefore, every energy was bent during the summer and fall following. Immense meetings were held at Albany, and in the city of New-York, and county meetings were held at different points throughout the state, the common sentiment of which was, the absolute necessity of a Convention for Constitutional Reform. The public press took up and propagated the enthusiasm. Associations for Constitutional Reform were organized, and the doctrines of the reformers were made welcome wherever they were announced.

It was during this summer that the cause of reform received a new accession of strength from the friends to the cheap and prompt administration of justice. For several years the delays and expense of litigating a suit in our state courts had been quite intolerable. The Supreme Court, the Court of Errors, and the Court of Chancery, were completely choked up with the accumulated business of from three to five years, and a suit commenced in one of the County Courts might be protracted by either of the litigants without difficulty, from seven to ten years, before it could be forced to a final decree in the Court of last resort.

It may naturally be supposed that the people and the lawyers, who are alike the victims of these unnatural abuses, were aroused by the prospect of a Convention, in which, among other things, the judicial organization of the state might be repaired and adapted to the uses of a civilized community. The same prospect likewise invited various other reforms which, however, were subordinate to those we have designated, but which we shall have occasion presently to notice more in detail.

When the Legislature again assembled in the winter of 1843–'44, it was found that this Convention movement was no longer the vagary of a few impracticable abstractionists, and those whose judgments, interests, or timidity advised against the measure, felt that the sentiment which gave it impulse must be propitiated before it could be resisted. A series of amendments to the Constitution was accordingly introduced by the enemies of the Convention, which passed both Houses of the Legislature, embodying substantially the guaranties of the people's resolution, and having an apparent tendency to relieve the judiciary.

The first amendment, proposed to adopt the policy enacted in the law of 1842, providing for the payment of the debts and preserving the credit of the state.

The second adopted the spirit of the people's resolution.

The third provided for the appointment of three additional Chancellors.

The fourth provided for two additional Supreme Court Judges.

The fifth, that no officer should be removeable by the joint resolution of the two houses, without having an opportunity of being heard upon the charges made against him.

The sixth, that no property qualification should be required to render a person eligible to any office or public trust.

During the same session a resolution was introduced into the upper house by Senator Porter, instructing the Judiciary Committee to report a bill to submit the question of Convention or no Convention to the people at the next general election.

It was not adopted for various reasons. The first was, that several of the delegates betrayed their constituents, and the second and most controlling reason was, the indisposition of the members of the dominant party to embarrass the then approaching Presidential canvass with a measure which might have perilled a result towards which the Democracy of the state were then looking with legitimate feelings of

hope and pride. It was therefore—as we think wisely—determined to postpone the revision of the Constitution until after the fever of this election had subsided, that the people might address themselves to the solemn work of reconstructing their fundamental law with becoming deliberation and singleness of purpose.

It is well known that the elections of November, 1844, resulted in the elevation, to the governor's chair, of one who, within a short six months previous, had declined the nomination to three of the highest political distinctions in the gift of the American people, and who had sacrificed his personal comfort and his political interests to those of the party of which he was the acknowledged leader. It was now fairly to have been expected that the claims of the reformers would have been respected, and a Convention called. But lo! new difficulties had presented themselves. In the first place, a new party had obtained the ascendency in N. Y. City, called Nativists, and composed chiefly of Whigs, who clamoured for a restriction of the political privileges enjoyed by adopted citizens. But this was only part of the trouble. In some of the interior counties the tenants of certain estates, with long leases, had determined that they would no longer pay the rents exacted by their landlords. They organized themselves in bands to resist the officers of the law commissioned to collect these rents, and during this year, 1844, consummated the foulest personal indignities upon those officers by deliberate murder. Demagogues were not wanting to propitiate the favor of these misguided outlaws, by smiling upon their outrages, and consequently a party of *anti-renters* sprang into existence, sufficiently numerous to hold the balance of power between the two great parties in the state. They demanded a change in the Constitution, which would protect them from or vary their liabilities under their leases, and of course a representation in the Convention.

Then the right of the negroes to vote would have to be contested again, and with doubtful success. If the opposition were to prove unsuccessful, it would probably throw the state into the embrace of our political opponents for a few years, and prove fatal also to the prospects of those of our public men whose day-star of hope might be rising over the meridian of Washington. The horrors of negro suffrage, of anti-rentism, and of nativism, were therefore successively invoked by the opponents of the Convention, as conclusive evidence of the danger of trusting our Constitution again in the people's hands; and lest these reasons might not prove efficacious, the right of the people to amend or meddle with their Constitution, except in such particulars and to such extent as the Legislature should first prescribe, was boldly asserted in quarters where there was not even the excuse of ignorance to palliate the absurdity.

The opposition, however, all proved unavailing, and a bill passed both houses of the Legislature, on the 12th of May, 1845, providing for the submission of the Convention question to the people on the 4th day of November, following. At that election, the call was sustained by a majority of about 180,000.*

This tremendous vote, and over-

*State of New-York, ss.—Statement of the whole number of votes given at the General Election held in the said State, on the 4th day of November, 1845, under and pursuant to the act entitled "An Act recommending a Convention to the people of this State," passed May 13, 1845.

| Counties. | No. of votes given for a "Convention." | No. of votes given for "no Convention." |
|---|---|---|
| Albany | 7,873 | 568 |
| Allegany | 2,140 | 1,955 |
| Broome | 2,060 | 615 |
| Cattaraugus | 1,726 | 678 |
| Cayuga | 7,101 | 117 |
| Chautauque | 3,575 | 146 |
| Chemung | 2,070 | 88 |
| Chenango | 4,169 | 245 |
| Clinton | 2,133 | 249 |
| Columbia | 4,799 | 893 |
| Cortland | 3,677 | 173 |
| Delaware | 4,587 | 247 |
| Dutchess | 5 132 | 500 |
| Erie | 5,440 | 925 |
| Essex | 1,616 | 437 |
| Franklin | 1,798 | 40 |
| Fulton and Hamilton | 2,544 | 187 |
| Genesee | 2,868 | 296 |
| Greene | 3,101 | 550 |
| Herkimer | 4,346 | 86 |
| Jefferson | 6,397 | 1,100 |
| Kings | 2,072 | 1,048 |
| Lewis | 1,977 | 738 |
| Livingston | 3,623 | 941 |
| Madison | 4,281 | 781 |
| Monroe | 7,113 | 425 |
| Montgomery | 3,096 | 315 |
| New-York | 10,967 | 7,186 |
| Niagara | 3,283 | 217 |
| Oneida | 6,455 | 1,708 |

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whelming majority, made it sufficiently apparent that the whole people, without respect to party distinctions, were intent upon a thorough reform in our fundamental law, and were looking to far more comprehensive changes than had been contemplated, when the clarion of the Conventionists first broke forth among the hills of Old Herkimer.

We should here add, that those amendments to the Constitution which had been proposed by the Legislature, for the relief of the judiciary, and to sustain the credit of the state, were rejected by that body the following year, session of 1844; first, because they were insufficient for the ends they were designed to accomplish; second, if they had been sufficient, they would not have superseded the necessity for a Convention; and thirdly, their passage would *au mesure*, have weakened the claim of the reformers for that Convention, in which and where alone, far more important reforms than those proposed were expected to originate.

From the character of the delegates which have been elected,* and of the resolutions and instructions which have

| | | | | | |
|---|---|---|---|---|---|
| Onondaga | 6,743 | 45 | Seneca | 2,749 | 152 |
| Ontario | 5,437 | 104 | Steuben | 4,636 | 253 |
| Orange | 4,681 | 606 | Suffolk | 906 | 413 |
| Orleans | 3,257 | 105 | Sullivan | 1,973 | 339 |
| Oswego | 5,495 | 59 | Tioga | 2,077 | 159 |
| Otsego | 3,965 | 936 | Tompkins | 4,280 | 400 |
| Putnam | 966 | 119 | Ulster | 3,573 | 1,109 |
| Queens | 592 | 974 | Warren | 934 | 803 |
| Rensselaer | 6,492 | 371 | Washington | 4,892 | 193 |
| Richmond | 194 | 406 | Wayne | 4,748 | 125 |
| Rockland | 943 | 242 | Westchester | 1,267 | 1,346 |
| St. Lawrence | 5,611 | 328 | Wyoming | 2,770 | 307 |
| Saratoga | 4,416 | 304 | Yates | 2,869 | 67 |
| Schenectady | 1,227 | 431 | | | |
| Scoharie | 2,574 | 1,240 | Total | 213,257 | 36,860 |

The whole number of votes cast ..... 247,117
The number for the Convention ..... 213,257
Against ..... 33,860
Majority in favor ..... 179,397

* The following is a list of the Delegates from the several counties, which, for convenience of reference to our readers, we have thought proper to give in this connexion.

*Albany*—Horace K. Willard, Benjamin Stanton, Ira Harris, Peter Shaver.
*Allegany*—Calvin E. Chamberlain, William G. Angel.
*Broome*—John Hyde.
*Cattaraugus*—G. A. S. Croker, Alonzo Hawley.
*Cayuga*—Peter Yawger, Elijah Sheldon, Daniel J. Shaw.
*Chautauque*—George W. Patterson, Richard P. Marvin.
*Chemung*—William Maxwell.
*Chenango*—John Tracy, Elisha B. Smith.
*Clinton*—Lemuel Stetson.
*Columbia*—Ambrose L. Jordan, Geo. C. Clyde.
*Cortland*—John Miller.
*Delaware*—David S. Waterbury, Isaac Barr.
*Dutchess*—Chas. H. Ruggles, Peter K. Dubois, James Tallmadge.
*Erie*—Horatio J. Stow, Absalom Bull, Aaron Salisbury, Amos Wright.
*Essex*—George A. Simmons.
*Franklin*—Joseph R. Flanders.
*Fulton*—John L. Hutchinson.
*Genesee*—Moses Taggart, Samuel Richmond.
*Greene*—James Powers, Robert Dorlon.
*Herkimer*—Michael Hoffman, Arphaxed Loomis.
*Jefferson*—Alpheus S. Greene, Elihu M. McNeil, Azel W. Danforth.
*Kings*—Henry C. Murphy, Teunis C. Bergen, Conrad Swackhamer.
*Lewis*—Russell Parish.
*Livingston*—Allen Ayrault, William H. Spencer.
*Madison*—Federal Dana, Benjamin F. Bruce.
*Monroe*—Fred'k F. Backus, Harvey Backus, Enoch Strong.
*Montgomery*—John Nellis, John Bowdish.
*New-York*—John L. Stephens, Chas. O'Connor, Benjamin F. Cornell, Henry Nicoll, Solomon Townsend, Stephen Allen, John H. Hunt, Samuel J. Tilden, Campbell P. White, John A. Kennedy, William S. Conelly, Lorenzo B. Shepherd, Robert H. Morris, George S. Mann, Alexander F. Vache, David R. F. Jones.
*Niagara*—Hiram Gardner, John W. McNitt.
*Oneida*—Charles P. Kirkland, Julius Candee, Edward Huntington, Harvey Brayton.
*Onondaga*—David Munro, Wm. Taylor, Cyrus H. Kingsley, Elijah Rhoades.
*Ontario*—Alvah Worden, Robert C. Nicholas.
*Orange*—John W. Brown, George W. Tuthill, Lewis Chuddeback.
*Orleans*.—Wm. Pennimen.
*Oswego*—Orris Hart, Sereno Clark.
*Otsego*—Samuel Nelson, Levi S. Chatfield, Harvey Strong.
*Putnam*—Governeur Kemble.
*Queens*—John L. Riker.
*Rensselaer*—Abm. Witbeck, Jr., Wm. H. Van Schoonhoven, Perry Warren.
*Richmond*—John T. Harrison
*Rockland*—John J. Wood.
*Saratoga*—John K. Porter, Jas. M. Cook.
*Schenectady*—Daniel D. Campbell.
*Schoharie*—Wm. C. Bouck, John Gebhard, Jr.
*Seneca*—Ansel Bascom.
*St. Lawrence*—Bishop Perkins, John L. Russell, Jonah Sanford.
*Steuben*—Robert Campbell, Jr., Wm. Kermah, B. S. Brundage.
*Suffolk*—C. C. Cambreleng, Abel Huntington.
*Sullivan*—Wm. B. Wright.
*Tioga*—John J. Taylor.
*Tompkins*—Thomas B. Sears, John Young.
*Ulster*—James E. Forsyth, Geo. G. Graham.
*Warren*—Wm. Hotchkiss.
*Washington*—Edward Dodd, Albert L. Baker.
*Wayne*—Horatio N. Tafft, Orson Archer.
*Westchester*—John Hunter, Aaron Ward.
*Wyoming*—Andrew W. Young.
*Yates*—Elijah Spencer.

been addressed to them from the various quarters of the state, it is sufficiently obvious that the people are anticipating a new Constitution, and that they do not expect their representatives to re-enact the folly of the Peliades, by attempting to cut up and boil down to the freshness and vigor of youth, the decrepit carcass, in awe of which they have been compelled to live for the last quarter of a century.

We propose to enumerate some of the most conspicuous and desirable of the changes which are likely to be made, with a side-long glance at corresponding tendencies—if they have appeared—in such of our sister states as have recently submitted their Constitutions to a review by the people. In this enumeration, we shall not attempt to discriminate those reforms for which there has been a general call, from such as have received, as yet, little or no public discussion. We shall specify all such as are entitled, in our judgment, to the patient consideration of the Convention.

## I. Of Legislative Power.

1. *The delegates to both branches of the Legislature should be elected from separate districts—each constituency being represented by a single delegate.*

That this measure is in accordance with the strict principles of democratic government does not admit of a doubt. The nearer the representative may be brought to his constituents, the greater will be his accountability, the more likely is he to be competent and disposed to represent them adequately and honestly, and the less chances are there for corrupt or perverse influences to operate upon the primary assemblies, in which the qualifications and character of their representatives are determined.

The uniform approbation given to this measure by the several counties in the state at their several nominating Conventions, render its adoption almost a matter of course.

2. *The sessions of the Legislature should be biennial only.*

There is no doubt that if this body be restricted, as we earnestly hope and pray it may be, to the passage of general laws, forty or fifty days every two years will suffice for all the legislation which will be required at its hands.

By a very cursory examination of the New-York session laws for the last ten years, it will appear that the great mass of them concern private and local interests, with which government, properly restricted, would have nothing whatever to do. We esteem it substantial evidence that a wiser view of the proper sphere and function of government is beginning to prevail in our republic; that the last four Constitutions which have been formed within its borders,—these of New-Jersey, Louisiana, Texas and Missouri, have all provided for the assembling of their Legislatures once in two years. The system of biennial sessions is also sanctioned by the Constitutions of Arkansas, Illinois, Mississippi, Tennessee and Delaware.

3. *The members of the Legislature should have their compensation fixed and paid them by the County which sends them.*

This mode of compensating delegates has all the advantages of direct taxation without any of its inconveniences. The people will be led to feel a more immediate interest in the services rendered, when they are made to *realize* that *they* have to pay for them. There will be a corresponding desire to procure the most efficient representation, and a disposition to hold them to a stringent accountability—the two cardinal tendencies in civil government to be encouraged.

Another plan, which would be a great improvement upon the *per diem* system at present in operation, would be to fix the salary upon each member for the whole period for which he should be elected—say $500 for the two years, to be paid quarterly in advance, and notwithstanding absence, resignation or death of the incumbent. This would be a more adequate compensation to the member for the time he would be required to spend in the state service, and would also be much less expensive to the state than the present per diem allowance and annual sessions.* The sum being fixed and certain, with or

* The average per diem now to each member for an ordinary four months session is $360—making $720 for two years, and at the same rate for extra sessions. $500 for the term of two years would save $220 for each legislative term on every delegate, and also secure their services at extra sessions without additional cost.

without service, leaves no inducement to protract the legislative sessions except for the public advantage; and in case a delegate were strenuously called upon by his constituency to resign his seat, he would not have to overcome a hostile pecuniary interest in order to discharge his duty. The principles of both propositions are reconcileable with each other, and both practicable. We believe great good would be realized from the operation of either, but most from their wise combination.

4. *The state should derive no revenue directly or indirectly from property taken from private individuals for public use.*

There is no propriety in the state attempting to compete with private enterprise in trade, manufactures, internal improvements, or in any other department of industry. The public judgment of the State, and we believe of the Union, has substantially so determined. If, therefore, the state requires private property for its legitimate and sovereign purposes, the advantages of such an appropriation should be common and equal to all. There can be no harm therefore, nor injustice in making it, if an easement, free to all. To draw a revenue from it, even to the treasury of the state, is as idle, as for an individual to fill one of his pockets by emptying another. If the advantages should operate unequally, then government ought not to be interested in the work, nor would it be of such a public character as would justify a violation of private and vested rights, to carry it forward.

Of course, in thus limiting the influence of the Legislature over the industry of the state, the Convention should be careful to provide some general mode of self-incorporation for associations which, under proper restrictions, would be competent to undertake and execute those industrial enterprises of a *quasi* public character, which are not strictly among the proper functions of government.

5. *The expropriation of private property, however, by the government, whether done directly or indirectly, should only be permitted upon payment* FIRST *made to the owners, of its fair value, to be assessed by a jury to be selected from the vicinage.*

6. *The state should have no power to contract debts, or loan its credit, except in case of war, invasion or insurrection.*

This is broader than the "People's Resolution," which authorized the creation of a debt, provided, among other things, the people approve of it at the general election next after the Legislature have so advised them.

But if the state receive no revenue from her public works, she can never pay her debts so contracted except by direct taxation. But it is much more provident to raise the money in advance or as it is required to be disbursed, than to leave the debt with its accumulation of interest to a succeeding generation for payment, while, if the generation that contracts the debt has to pay it, all they pay in interest is utter loss.

Again, the money would then come directly from the people; and they would be sure, before they made the appropriation, that the advantages to be derived from it were clear and well secured.

Again. It seems unnecessary to provide in the Constitution for raising money upon the credit of the state, by submitting the question to the people, inasmuch as the people are always competent to assemble and impose a tax or create a loan, by virtue of the same power which enables them to amend or alter their Constitution. It seems unnecessary to authorize them to do what we cannot prevent them from doing. But we do not imagine that there is any occasion to provide with very great care, for an emergency which can hardly happen. At least we can conceive of no case other than those excepted in our original proposition, when it could be necessary for the State of New-York to borrow money, after she shall have freed herself from her present liabilities. If the policy embodied in the last three propositions be correct, then the one which follows is inevitable.

7. *That those public works and internal improvements belonging to the state which she could not construct under the above restrictions, should be sold at once, and the proceeds applied to the payment of the public debt.**

8. *That the Common School fund*

* The financial bearing of this proposition may be partially inferred from the following statement of the public works at present owned by the state, the time when commenced, their cost for construction and repairs, their debts, tolls and interest:—

*also be appropriated to the payment of the present state debts, and that the Legislature be prohibited from levying taxes directly or indirectly, for the purpose of propagating among any class of people, any science, art, trade or religion.*

There is no objection in principle to an established state religion, which does not belong to an established state school system, and we have pretty abundant evidence that the practical inconveniences are not very unequal.

9. *The Legislature should provide for the creation and government of Municipal Corporations, by general and uniform laws.*

10. *Municipal Corporations should have no power to contract debts.*

11. *The Legislature should pass general laws, under which, and not otherwise, Corporations, other than those of a municipal and political character, might be formed.*

This proposition was discussed in the Convention of Louisiana, and adopted.*

12. *The members of such Corporations, (not excepting those established for education or charity) should be individually liable for the debts, liabilities, and acts of such Corporation, and for the consequences resulting therefrom.*

The Committee to whom the subject of Bank Corporations was referred by the Convention of Louisiana, reported a section which provided that every charter thereafter granted, with banking and discounting privileges, should be accompanied with the "condition that the share-holders or members of such corporation shall be bound severally, and in *solido*, for all *the liabilities and acts of such corporation, and for the consequences resulting therefrom!!*

The section reported by the Committee, was afterwards amended by prohibiting the creation, renewal, or extension of any corporation with banking or discounting privileges.† This amendment, in a great measure, superseded the necessity of a personal liability clause, which otherwise would undoubtedly have been adopted by the Convention.

A proposition similar to that reported by the Louisiana committee, was introduced into the New-Jersey Constitutional Convention, and very earnestly, but unsuccessfully advocated by Ex-Governor Vroom, and several other conspicuous members of that body.

By the new Constitution of Missouri, the stockholders of all private corporations save those *for educational or charitable purposes*, are individually liable.

The exceptions, in our judgment, are unwisely made. They leave the Legislature and the courts too much margin for construction, and they also grant immunities to a class of interests which the state is no more bound to protect and foster, than those of an industrial character, if as much.

To these evidences of a growing disinclination among the people to granting special privileges and immunities to a class of institutions which have neither "a body to be kicked, nor a soul to be damned," we have pleasure in adding the practical and efficacious example of his Excellency, Governor Shunk, of the State of Pennsylvania, who recently vetoed a cotton-mill charter with $300,000 capital, which had

| | Began. | Cost. | Debt paid | Repairs. | Tolls. | Interest, paid. |
|---|---|---|---|---|---|---|
| Erie and Champlain | 1817 | 8,401,394 12 | 478,194 28 | 2,294,968 78 | | |
| Do. enlargement | 1838 | 12,860,851 76 | 9,933,000 00 | | | 611,476 34 |
| Oswego, Cayuga | 1826 | 3,907,037 35 | 3,726,964 58 | 103,804 13 | 126,915 01 | 190,151 89 |
| Chemung and Chenango | 1837 | | | | | |
| Crooked Lake, Black River, | 1837 | | | | | |
| Genessee Valley, Oneida Lake | to | 5,694,052 13 | 5,577,276 13 | 126,075 39 | 23,825 67 | 301,690 67 |
| Oneida River | 1841 | | | | | |
| Total Canals | | $30,733,335 36 | 19,237,180 71 | 709,073 80 | 2,374,962 46 | 1,113,318 90 |
| " Railroads | | 3,515,700 00 | 3,515,700 00 | | | 191,986 50 |
| Total Public Works | | $34,239,035 36 | 22,752,880 71 | | | 1,305,305 40 |

These works are of three descriptions. The first, the Erie Canal, produces an annual net income of $1,746,074.50, which, at 6 per cent., represents a capital of near $30,000,000, and its business doubles every eight years. It is worth at least $40,000,000. The enlargement is a dead loss. The 2d class cost near four millions, and they yield about one half of one per cent. of that cost per annum. The third class forms an annual charge upon the Treasury of $100,000 per annum, which represents a capital of $1,600,000, to keep them in operation, in addition to the cost, which, principal and interest, will be 11 millions. The principal and interest gives to rail-roads, makes 7 millions. Altogether, there is a sum equal to 52 millions to be paid by the State for useless public works, that will be supplanted by rail-roads in a very few years. If these could all be sold now by the State, for a sum equal to the present debt, reserving out of the Erie tolls, an annuity equal to the State expenditures, the whole engine of corruption would be out of the hands of the Government, and the interests of trade be promoted by individual enterprise

* Debates in the Convention of Louisiana, reported by Robert J. Ker, p. 836, et seq.

† The same provision has been adopted in the Texian Constitution.

passed the Legislature of the state, without any provision for the individual liability of the stockholders, for the debts of the company. In returning the bill with the reasons for declining to sign it, the Governor says:

"What peculiar claims upon the public have they who engage in manufacturing, which do not belong to those whose means and skill are devoted to other branches of industry? Why should the manufacturer be exempted from paying all his debts to the farmer, the merchant and mechanic, while these remain liable for their engagements to him. Many manufacturing establishments now directed profitably by individuals—many houses engaged in commercial transactions, in the foreign commerce of the east, and the steamboat navigation in the west, employ means of individuals and partnerships equal to, and far exceeding, the sum required to establish a cotton factory.

"Whenever an investment promises profit, the means in this fortunate country are not wanting. Large operations require large means. The man who embarks extensively in foreign or domestic trade, or in manufacturing or agricultural pursuits, necessarily requires a large capital. And as by our law, he is made liable to pay all his debts, for which his whole estate is pledged, by what system of reasoning can the right of ten or twenty men be maintained to associate for the same purpose which employs his capital—to enjoy the same chances of success and profit with him, and yet be permitted by legislative favor to expose to risk only a part of their estate?

"My object is not, in the remotest degree, to question the rights of those who have large means. Wealth and its concomitant advantages are theirs. They have a common right to the protection of the laws, but they have no better right than the humblest citizen.

"The unequal distribution of property results from causes that are placed beyond the reach of legislative control. That government may make this inequality to a certain extent, permanent, we are taught by other nations. But if there be truth in the principles upon which our government is based, then we are bound by respect to its founders, and love for our institutions, to guard with watchful anxiety against granting exclusive privileges, and disturbing the harmony of our system."

13. "*Every law enacted by the Legislature, shall embrace but one object, and that shall be expressed in the title.*"

14. *No law shall be revised or amended by reference to its title; but in such case, the act revised, or section amended, shall be re-enacted and published at length.*"

The last two provisions are both extracted from the Constitution of Louisiana, whence they have been adopted into the Constitution of Texas.

The vagueness of the word *law*, as used in these sections, may subject them to the charge of indefiniteness. Such inconvenience, if it exist, is one merely of detail; their principle is sound, and their purpose of infinite importance. It is a trifling matter for the nomographer to adjust his amendment to such provisions of the existing law as are to be retained, while they are before him and his mind is familiar with the whole subject. But when it goes forth in the form of an amendment to an act to amend an act entitled an act, to amend an act, which may have been the subject of judicial interpretation for twenty years or more, and in this mystic condition has to be studied through a library of statutes and reports by thousands of people, the aggregate labor, expense, and delay suffered by the community, is a public grievance, oppressive to the last degree. The laws should, and might be perfectly clear and accessible to the mass of intelligent readers, who should read them with attention, if any fair proportion of literary art were spent in their expression. We believe that provisions, substantially like those above stated, would remedy the obscurity and intricacy of our laws very materially.

15. *The Legislature should have no power to pass retroactive laws, or laws impairing the obligation of contracts or* THEIR REMEDIES.

In the absence of this latter provision, the judicial tribunals of the different states have sustained the constitutionality of the various kinds of stay-laws and exemption laws, which had been enacted by unscrupulous legislators for the protection of reluctant debtors, under the pretence that this class of laws does not affect the contract, but the remedy by which it is to be enforced—as if the remedy were not a vital part of the contract.

The civil code of France enacts, that the "Law disposes but for the future—it can have no retroactive effect."* Her penal code, however, pro-

* C. Civ. 2.

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vides that a criminal shall profit by any amelioration of the laws experienced subsequent to the commission of his crime, but that the penalty which attached to his crime when committed, should never be aggravated as to that offence.*

The propriety of such a provision is sufficiently obvious, and is entirely consistent with the constitutional restriction we have suggested above.

16. *All laws or regulations interfering with the liberty of trade or industry (such as license and inspection laws) should be abolished, and their enactment for the future prohibited.*

17. *The Legislature should never grant extra compensation to any officer, agent, servant, or public contractor, after the service shall have been rendered, or the contract entered into, nor grant by appropriation, or otherwise, any amount of money to any individual, on any claim, real or pretended, when the same shall not have been provided for by pre-existing law.*

Texas will enjoy the honor of incorporating this provision into her fundamental law, in advance of any other of her sister states. The evils it is intended to remedy, have, hitherto, defied legislation. Every year our Legislature is thronged with applicants for extra pay, whose importunities and corruptions together, interrupt the legitimate course of legislation, and lead it continually into improper channels. Though the above provision of the Texian Constitution might occasionally work a hardship, yet its general operation, we are satisfied, would be beneficent, at least, so long as the state for which it was designed, should run canal boats, teach school, and traffic in rail-road stocks.

18. *The Board of Supervisors of each of the several counties respectively, should be vested with legislative power over all matters which concern such county, exclusively; and a corresponding jurisdiction should be extended to the towns.*

This is a proposition, the statement of which is a demonstration of its soundness. This subdivision of the state into these small republics, for the transaction of their peculiar business, was an absorbing project of Jefferson's. He declared it to be the object "nearest to his heart,"† and pressed it upon the Virginia reformers in every communication, private or public, which he made relative to this subject, as paramount to all other reform. In this connexion, also, it is a pleasure to quote the authority of the illustrious Turgot, who had the sagacity to detect even before Jefferson, and to criticise this very departure from principle, in the distribution of legislative powers in our republic, which Jefferson subsequently labored so hard to correct in his own state.

"I do not find," he says, "that they have been careful enough to reduce as much as possible the number of objects which are to occupy the governments of each state; to separate matters of legislation of a general, from those of a particular and local administration; nor to establish local standing assemblies which, by discharging almost all the subordinate functions of government, might spare the General Assembly all attention to those matters, and might prevent all opportunity, and perhaps all desire in its members, of abusing their authority, which cannot be applied to any objects but those which are general; and which, therefore, are not exposed to the little passions which actuate mankind."

The due moral influence of government can only be preserved where the states attend to the duties which are *necessarily* theirs, the counties to theirs, the towns to theirs—and where individuals have full opportunity to attend to *theirs* without limitation or restriction. *"Nec deus intersit nisi dignus vindice nodus"* should be the motto for every political power in the state.

## II.—Executive and Administrative Power.

The chief alterations in this department of our fundamental law, at present contemplated, are,—

1. *The election of the State Officers by the people of the whole state.*

2. *The election or appointment of all Local Officers, by the counties or districts to which the duties of those officers are confined.*

We have discussed so fully the multiplied evils of political patronage, in a previous number of this Review,‡ that we have no stronger reasons to offer than are there presented, for distributing it as far as practicable among those most concerned with its judicious exercise, as above proposed. The great and controlling abomination of execu-

* C. Pen. 4. † Memoirs, &c., vol. iv. p. 294. See also ib. p. 288, ib. p. 239, ib. 395. ‡ September, 1845.

tive patronage, however—its influence in preventing a fair expression of the popular sentiment at elections, has such direct connection with many of the most important reforms to which we have referred, that we feel compelled to caution the friends of popular government against nominally enlarging the power of the people, *without reducing, in a corresponding ratio*, these corrupting influences. In a thousand ways the sinister influence of political corruptionists, "whose conscience is their maw"—interferes with and refracts public sentiment from its natural direction; and, instead of our laws and their ministers embodying the wisdom and discretion of the mass, they must come in time to represent merely the selfishness, caprice and ignorance of a clique or a faction.*

3. *The Office of Lieutenant-Governor should be abolished.*

The Senate can select one of their own body to preside over their deliberations; and in case of the illness or absence of the Governor, the Secretary of State, who should be more conversant than any one else with the gubernatorial duties, may supply his place. The perpetuation of this office so long, has been the result of habit, not of convenience or necessity.

## III.—Judiciary.

This is the most delicate subject with which the Convention in New-York will be engaged, and yet it more immediately requires their intervention than any other. The delay and expenses incident to the administration of the law in this state, amount substantially to a denial of justice: and in any despotic country in the world, where the responsibility of making and administering the laws rested with a single monarch, or an oligarchy, the inefficiency of our judicial organization would, long before this, have driven the people to open revolution.

The patience with which our citizens have submitted to this oppression, is the best evidence in the world that they are respectful of order and authority. The complaint is universal among the lawyers, that they can never get their suits determined; among litigants that they are ruined by expensive delays. The Supreme Court, now sitting in the City of New-York, has about 800 causes on its calendar. About 200 more were noticed, but not received in time, making 1,000 causes ready for argument before a single court. This court hears, on an average, less than 100 causes a term, and holds four terms a year. Consequently, it would take two and a half years to dispose of the business now before this court, if it received no other.

The Court of Errors is also upwards of two years in arrears, and the prospect is that it will soon have three years work undisposed of on its calendar.

The Chancellor is full four years behind; and a party filing a bill to-day in his court, and conducting his litigation successfully, step by step, without a single accident, would have no reason to expect a final decree in less than five years. This officer has cases now before him, waiting adjudication, which were argued four years ago and upwards. Indeed, we are credibly informed, that this accumulation has become so oppressive, that he has abandoned the practice of deciding old cases according to the order of their argument, but has announced his intention of deciding on new arguments at once, and old cases as fast as opportunity will permit.

The first impression produced by such a state of facts is, that the judiciary are inefficient or neglectful of their duty. But of that there is not the slightest evidence; on the contrary, there is abundant reason for believing the judges of this state are among the most industrious of its citizens. There is little doubt but the present Chancellor, whose calendar is more burdened than that of either of the other tribunals, is one of the most laborious judicial officers that ever presided in a court of equity. The difficulty lies in the judicial organization obviously. There is not judicial strength enough in the state to dispose of its litigation. It has been the custom of the Legislature, in view of the accumulation of business in certain quarters of the state, to erect auxiliary tribunals of inferior jurisdiction. The Superior Court of the City of New-York, and

* See Speech of Judge Edwards against reducing Gubernatorial term, in Convention of New-York, in 1821. Report of Proceedings, &c., pp. 126-7.

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the Assistant Vice-Chancellor's Courts, are of this character. How much these tribunals have relieved the higher courts, and how much they have expedited litigation, it is extremely difficult to estimate. There is no doubt that they have wholly failed of the effect desired, and that an indefinite multiplication of such tribunals would be attended with like results. These courts only give the parties an opportunity to try each other's strength, and to lay the foundation for an appeal. They decide nothing about which there is any doubt. The consequence is, that their interference rather protracts the litigation, and increases the expenses of a suit, without materially diminishing the labor of the superior tribunals. If the consequences of a verdict below are at all disagreeable, or if the unfortunate party be not ready to abide by it, he has only to appeal, and besides obtaining several years delay, has all the chances incident to the technical absolutism of our system of legal procedure. For these reasons alone, causes without number are sent into the Supreme Court, or carried to the Chancellor, when the appellant is conscious that he has no probable chance of ultimate success. There is one cause now waiting argument in the Court of Errors, which we happen to know was commenced in 1834, and that not a term or a motion day has been neglected, nor any delay been suffered by either party, except what was incident to the litigation. It may, and probably will require two years more to bring it to a close.

It is an habitual recourse among the profession, if a case be doubtful, to send it to the Supreme Court upon some question of law to be raised upon the pleadings, where it will rest until reached by that tribunal, and thus the defeated party may either appeal to the Court of Errors, or come down for trial. He will then appeal from the determination of the court below, and suspend his adversary in the courts above for two, four, or six years more. In this way, the delays of the higher courts propagate themselves—they increase in compound proportion. No one will hesitate a moment in saying, that that judicial system is inadequate which will not admit of a cause passing through from the lower to the highest court of appeal, in a year and a half: and yet we are well assured that a suit commenced in the Superior Court could not be tried and argued on appeal in the Supreme Court and the Court of Errors in less than seven years from its commencement.

Nor is this all. The prospect of these delays has become so frightful to the party in quest of justice, that he is usually glad to compound with his opponent upon almost any terms. While the expenses are harassing him on the one hand, his risks are increasing on the other, and whether he ultimately succeed or fail, ruin seems to be equally inevitable, if the contest be permitted to continue. In this state of mind his adversary finds him and tempts him with a compromise, upon terms dictated neither by mercy or justice. But they are more merciful and more just than the law offers, and he accepts. Behold a key to half the litigation in this state. The dishonest defendant, by appeals, can be sure of some years delay, and his chance of settling on favorable terms will increase every day that he continues his resistance, and through every new device by which he can harrass his opponent. If, therefore, the matter in dispute is of any moment, he is sure to defend until he fatigues his pursuer into a disastrous settlement, and without sharing, comparatively, any of the risks of the litigation. It is in this wise that judicial delays propagate themselves, that injustice thrives, and honesty is discouraged.

To remedy these evils, two things are agreed upon by all parties as indispensable.

1. A simplification of our systems of procedure, and

2. A multiplication of judges, sufficient to prevent delays in the deciding of causes when ready for hearing.

We want a judiciary numerous enough to do all the business, term by term, which shall arise within its jurisdiction. No suitor should ever be sent home unsatisfied of justice; and be the expense of administering it thus promptly what it may, such justice the state owes to every one of its subjects, and is bound to grant it. If it be desirable that the people should revere the laws, those laws should be so conceived and administered as to redress the people's wrongs and vindicate their rights, and not mock them with the empty formalities of justice.

Innumerable plans for a re-organization of the judiciary have appeared during the recent constitutional agitation, all of which differ from each other in the most important particulars, though all that we have seen are such manifest improvements upon the present system, as to be entitled to respect. Of these, a project submitted to the public through the columns of the N. Y. Evening Post.* by the Hon. Michael Hoffman, seems to have met with very considerable favor. Its defects, in our judgment, are that it does not provide force enough, which, however, is a mere matter of calculation; and secondly, that it provides no courts of inferior jurisdiction,—for we assume that Mr. Hoffman did *not* propose to perpetuate the present system of justiceships. It presents, however, all the important principles of judicial reform for which we are disposed to contend, and contains, besides, several novel and very important suggestions.

From Mr. Hoffman's plan, and from various other schemes, both published and unpublished, which have met the writer's eye, the following suggestions for a judicial reform have been selected, as worthy of being glanced at by the Convention before final action upon this subject, and as in some measure indicating the direction which this class of reforms is expected to take.

1. A Supreme Court of last resort, sitting at the seat of government, to consist of judges, nine of whom should be competent to hold a Court, and all have equal rank.

2. Circuit Courts to be held by any one of the above judges, of whom would be always disengaged from the Supreme Court for that purpose. These courts to have common law, equity, and criminal jurisdiction; to be held twice a year at least in each county in the state. The judges to be migratory, never to hold a court twice in succession in the same county, and subject to be concentrated in numbers at any one point where an excess of business had accumulated.

3. Superior District Courts, to be held in bank by three of the Supreme Court judges, three times a year, in each Senatorial District, to review the decisions of the Circuit and County Courts. Writs of error to lie from their decisions to the court of last resort.

4. Abolish the office of Justice of the Peace, and substitute such number of county justices as the Board of Supervisors should determine. It should be the duty of some one of the number to hold a court as often as once a month in each town in the county—but never in any one town twice until the same justice had held a court in every other town in the county. The jurisdiction of these courts to correspond with that of the present justices of the peace, but extending to sums of $250.

5. A Court of General Sessions, to be held by the Surrogate of the county, assisted by two county justices. Writs of error to lie from both these County Courts to the Superior District Courts.

6. A Clerk for the Supreme Court, whose office should be at the seat of government, and who should have charge of the judicial records of the court of last resort.

7. A County Clerk, who should be *ex officio* clerk of the Circuit Courts, Court of General Sessions, and Superior District Courts, and Register of Conveyances.

8. The Judges of the Supreme Court to be elected by the people of the whole state for not more than eight years, and to be paid not less than $3,500 per ann.

9. The county justices and clerks to be elected for not more than four years by the people of the county, and to be compensated by such salary as the Board of Supervisors may direct.

10. No part of the compensation of any judge or clerk to consist of fees or perquisites.

11. The clerks of each court to report to the governor twice a year the condition of his calendar, and if any unfinished business have accumulated, the governor to order such judicial force as may be needed to dispatch it.

12. The Supreme Court should ordain the rules of practice for all the courts of the state, so that one uniform system of procedure should prevail as far as practicable.

13. The judges and clerks to be elected on a day when no other election is being held in the state.

14. The same mode of determining

* September 27, 1845.

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upon the facts of the case, should be used in the courts of equity as of law.

15. "No duties or functions should ever be attached by law to or imposed upon any judicial officer but such as are judicial."

This provision is adopted in the Constitution of Louisiana, with reference to all the superior courts, but not to the justices—for which distinction we see no good reason.

It is impossible, of course, at present to enter upon any exegesis of the scheme we have sketched. Most of its bearings will be appreciated at once by a professional eye. We will say a single word as to some of its most peculiar points.

In the first place, the judges of the superior courts are taken from the whole state, which is a guaranty that they will be measurably free from sectional interests and local influences.

Secondly: They may be concentrated at any time where their services will be required; so that the business may always be attended to, without special legislation.

Thirdly: We get clear of some five thousand justices of the peace and county judges, who, as a class, are unfit, for a thousand reasons, to be trusted with the power of disposing of the rights of their fellow-townsmen, and in their place substitute a class of judges by profession, whose judicial duties will be a full occupation, who will not be each of them a permanent judge in the town in which he resides, but will be passing from one town to another throughout the county, and whose duties and position will furnish an inducement to men of culture and character to aspire to them.

Fourthly: By abolishing the system of compensating judges by fees and perquisites, we may hope to overturn the tables of the money-changers by whom our temples of justice have been turned into dens of thieves. About the only valuable novelty in the Constitution of Florida is a provision, "that the judges shall receive no fees or perquisites of office, nor hold any other office of profit under the state, the United States, or any other power." The Constitution of Louisiana very humanely accepted the example of Florida.

Fifthly: By electing the judges, and for limited terms, we impress them with a sense of accountability, reduce executive patronage, and, as we are disposed to think, secure a higher average of judicial talent and probity.

The abbreviation of the judicial term of office seems to commend itself so universally to the statesmen who have been recently called to consider the subject, that it is a matter of surprise that the system of appointing judges for life, or till its decline approaches, should have been perpetuated so long. By the new Constitution of New-Jersey, the judges of the superior courts are appointed for seven years; of the inferior, for five. By that of Louisiana, the corresponding judicial terms are eight and six years. By that of Texas, the judges of the superior courts are chosen for six years, and the terms of the inferior are to be regulated by the Legislature. By the projected Constitution of Missouri, the judges of the superior courts are to be chosen for twelve years, and of the Circuit for six.

That much lauded independence of the judiciary, supposed to result from the permanence of their dignity, covers, we fear, a grave political fallacy. To have efficiency in a public officer, as a general rule, there must be a different, though it be, a baser sense of accountability than that which the incumbent experiences in communing with his own conscience. But our view has been anticipated by one whose simple statement bears with it far more authority than the most labored argument we can presume to make. In a letter to Lieutenant Governor Barry, of Kentucky, dated July 2, 1822, Thomas Jefferson thus alludes to the permanency of the Federal Judiciary:

"I consider the party division of whig and tory the most wholesome which can exist in any government, and well worthy of being nourished, to keep out those of a more dangerous character. We already see the power, installed for life, responsible for no authority, (for impeachment is not even a scare-crow,) advancing with a noiseless and steady pace to the great object of consolidation; the foundations are deeply laid, by their decisions, for the annihilation of constitutional state rights, and the removal of every check, every counterpoise, to the engulfing power of which themselves are to make a sovereign part. If ever this vast country is brought under a single government, it will be one of the most extensive corruption, indifferent to, and incapable of a wholesome care over

so wide a spread of surface. This will not be borne, and you will have to choose between reformation and revolution. If I know the spirit of this country, the one or the other is inevitable. Before the canker is become inveterate, before its venom has reached so much of the body politic as to get beyond control, remedy should be applied. Let the future appointments of judges be for four or six years, and removable by the President and Senate. This will bring their conduct, at regular periods, under revision and probation, and may keep them in equipoise between the general and special governments. We have erred in this point by copying England, where certainly it is a good thing to have the judges independent of the king; but we have omitted to copy their caution also, which makes a judge moveable on the address of both legislative houses. That there should be public functionaries independent of the nation, whatever may be their merit, is a solecism in a Republic, of the first order of absurdity and inconsistency."

The *election of judges by the people*, however, presents a series of questions of far greater delicacy and difficulty. The principle is plain enough; but whether our society is conditioned to bear its strict application, is yet doubted by many whose faith in popular government is absolute. It is unquestionably the severest test by which the theory of popular sovereignty can be tried. Of this we are clear, that it would neither be wise or safe to give the choice of the judges to the people in the State of New-York, unless the political patronage of the state were greatly reduced, and the residue dispersed beyond the control of intriguing and unscrupulous politicians. We have the fullest confidence in the competence of the people to choose their officers more wisely than any officer they will appoint will choose for them, provided their wishes are fairly and fully represented. But that is impossible while the Constitution places at the disposal of any successful political party some four or five thousand lucrative offices, and tolerates almost unlimited legislative interference with the industry and capital of the state. Until, therefore, political patronage and special legislation, which are the two great disturbing forces in our popular elections, are in a great measure annihilated, it might be questionable policy to extend the domain of the ballot box. But assuming that the changes are to be made which we have already suggested having reference to these two cardinal defects of the present Constitution, we have not the slightest apprehension that the character of our judiciary would deteriorate by leaving their choice to the people. Indeed, we believe a less technical and more equitable system of jurisprudence would gradually appear, than that by which, in the disguise of justice, the people of New-York have been weighed down for the last quarter of a century. We are aware that there are many men, not bigots either, who are shocked at the idea of electing judges. They, however, are very easy under the administration of justice by the present court of last resort, fourteen-sixteenths of which are thus chosen. We incline to think that if it had been the usage of the state to have its Governor appointed by the Chancellor with the consent of the Supreme Court, the same class of men would be equally shocked at a proposal now to make the Governor elective. It was wisely ordained, doubtless, that none of us should know how much our judgments are under the dominion of habit; if, however, we were to realize it in this instance, the presumption is that our enfranchised minds would be lost in wonder that we had thus long tolerated so wide a departure from the theory upon which our government was planned and purports to be administered.

In none of the Constitutions recently made or revised, has the principle of an elective judiciary been extended, except in Missouri. It was originally determined in the Convention of that state, to make all the judges elective. They subsequently reconsidered their vote, and determined to confine the elective principle to the Circuit Judges. The subject was discussed with great ability in the Convention of Louisiana, and finally rejected on a vote of forty to twenty. We have been informed by a distinguished member of that body, and a friend to the election of judges, that that subject had not been discussed before the people at all, previous to the election, and that many of the delegates who were favorably disposed towards the system, feared to take the responsibility of giving it their vote, without further instructions.

In the course of the discussion in

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the Louisiana Convention, a very able survey of the whole question was made by Mr. Brent, a delegate from Rapides, from which, did our space permit, we should be glad to extract largely. We must confine ourselves, however, to the following letter relating to this subject, addressed to Mr. Brent by Judge Quitman, of Mississippi, where the elective system has been introduced, which letter the Speaker thus introduces to the Convention:

"I have said that the testimony from Mississippi, in favor of that system, is strong and conclusive. I will prove it. In addition to the evidence of the delegate from Baton Rouge, (Mr. Read,) I hold in my hand a letter from a gentleman well-known by reputation in this state; a lawyer of distinguished abilities, whose testimony upon this point is entitled to peculiar weight. The letter is addressed to myself, and reads as follows:

"New-Orleans, March 22d, 1845.

"Dear Sir—

"I have received your letter of the 19th inst., requesting my views upon the operation in the State of Mississippi, of the system adopted there of electing judges by the direct votes of the people, and asking my attention, particularly to the objection urged against the system, that such elections would generally, if not always, turn upon party, or political questions. Having no objections to the public avowal of my former opinions, or present views upon this interesting subject, I cheerfully comply with your request.

"At the time of the adoption of the Revised Constitution of Mississippi, in 1832, I was, with a majority of the bar of that state, opposed to the system of electing the judges by the direct votes of the people. We regarded it as a new and hazardous experiment, beautiful in theory, but dangerous in practice. Many of us did not doubt the capacity or intelligence of the people to make the best selections, but we feared that popular excitements would find their way upon the bench, that party spirit and political prejudices would generally determine the selection, and that the judges would carry these prejudices with them upon the bench, and a train of other evils. These, and other objections, were urged in the Mississippi Convention, with great ability. The system was, however, adopted, and of course, its operation has been watched with deep interest and severe criticism.

"The experience and observation of nearly thirteen years have convinced me, and many others who opposed the experiment, that our apprehensions were not well-founded. So far the system has worked well in our state. We have witnessed no evils attending it which are not incident to any other mode of selection, and on the contrary, the development of some advantages over other modes of appointment.—Our judicial stations have been filled with as much, if not more ability, learning and weight of character, than formerly. So far the people of our state have appeared to perform this delicate duty with as much intelligence and discernment, and I conceive with more integrity of purpose, than any other appointing power. We have seen the electors of districts, in the midst of political party excitement, elect judges differing from them on political questions; and I believe no instance has yet occurred of the election of a judge in our state, upon mere party questions.

"Upon the whole, after a careful observation of the operation of our system, I give it as my decided opinion, that the experiment of electing judges by the direct votes of the people, has proved eminently successful in our state.

"I am, very respectfully,

"Your ob't servant,

"J. A. QUITMAN.

"We have seen from this letter of Judge Quitman, that during the space of thirteen years this system has been in active operation in Mississippi, and that it has fully realized the expectations of its friends.—We find that under its workings politics have been driven from the bench, and the judicial stations of the state have been filled with ability, learning and weight of character. Can as much be said for the operation of our system in this state? So far from politics being driven from the bench with us, we have seen noisy and brawling politicians, yet smoking with the dust of the political battle-field, with all the exacerbations of political strife yet clinging around their hearts, elevated to the important trust of deciding upon the lives, the liberties and property of our people. The practical working of our system has been the very reverse of that of Mississippi. There can be no comparison instituted between the two. But as I have before observed, the testimony of this gentleman is entitled to peculiar weight. He was a member of the Convention of Mississippi that adopted the Revised Constitution of 1832. In that Convention he was the leader of the opposition to this principle. His pride of opinion, his prejudices, have all been arrayed against it; yet, as he informed me, the observation of thirteen years had forced him gradually and reluctantly to abandon his first position, and at this moment he regards it as the best pos-

sible system that could be devised. Should this Convention think proper to adopt the amendment now under debate, thirteen years hence, I have no doubt, that the gentlemen who are now loudest in their opposition, if called upon for their testimony, would write a letter similar to the one I have just perused."

Thomas Jefferson, whose name is a tower of strength for whatever side he favors on a question of political philosophy, was a decided advocate of an elective judiciary.

In a letter to Kerchival upon the subject of calling a Convention in Virginia for Constitutional Reform, he thus alludes to the subject :*

"It is thought that the people are not competent electors of judges *learned in the law*. But I do not know that this is true, and if doubtful, we should follow principle. In this, as in many other elections, they would be guided by reputation, which would not err oftener, perhaps, than the present mode of appointment. In one state of the Union, at least, it has been long tried, and with the most satisfactory success. The judges of Connecticut have been chosen by the people every six months, for nearly two centuries, and I believe there has hardly ever been an instance of change, so powerful is the curb of incessant responsibility. If prejudice, however, derived from a monarchical institution, is still to prevail against the vital elective principle of our own; and if the existing example among ourselves of periodical election of judges by the people, be mistrusted, let us at least not adopt the evil and reject the good of the English precedent. Let us retain a moveability on the concurrence of the Executive and Legislative branches, and nomination by the Executive alone. To give it to the Legislature, as we do, is a violation of the principle of the separation of powers."

A fifth important peculiarity of the judicial scheme we have suggested, is the combining law and equity jurisdiction in the same officers. Common sense revolts at any distinction being made between what is legal and what is equitable. That distinction, however, does exist, and must be respected. Any attempt to abolish it abruptly would, we believe, be disastrous; for our institutions and forensic customs are adapted to it. We can only get rid of it gradually, and then only by subjecting them both to a unifying tendency. By placing a distinct class of officers at the head of the courts of law from that which presides in equity, a corresponding propensity has been given to each to enlarge its jurisdiction. If, on the other hand, a single officer administered both codes, he would have a constant desire to unite them, and step by step the differences would merge, one after another, as they have grown up, until finally the name only would be left to perpetuate the distinction.

The combination we suggest is no longer a matter of speculation. The Federal Courts are constituted upon this basis, and equity powers are exercised by all the Circuit Judges in the state of New-York, except in the city of New-York and in the Eighth Senate District. This arrangement has never been complained of by the bar to our knowledge; but we have reason to believe that it has generally commended itself, both to them and to suitors, as an eligible feature in those tribunals.

### MISCELLANEOUS PROVISIONS.

*The state should sustain the same liability to be sued in its courts, as municipal corporations.*

The Constitution of Arkansas provides, that "The General Assembly shall direct by law, in what court and in what manner suits may be commenced against the state."† This provision has been adopted into the projected Constitution of Missouri. The Convention of Louisiana rejected it by a vote of 42 to 19; but upon what ground, we are at a loss to conjecture, as the subject appears to have given rise to no debate on the occasion. We can see no reason for distinguishing the state from any municipal corporation in this respect, but abundant reasons for imposing upon both the same liabilities. It will be fairer to the claimant, less expensive, diminish the corrupting influences to which the Legislature is constantly exposed, leave that body more at leisure to attend to public and general interests, spare the state the expense incurred by their detention upon this private business, and finally

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* Jefferson's Correspondence, vol. iv. p. 288. † Art. iii. sec. 25.

help to restore the government to its legitimate sphere of public duties.

2. *A commission should be appointed with as little delay as possible, to prepare a code.*

It is time that everlasting common-law delusion was exploded, and the people were provided with some means of knowing what their legal rights and remedies are, without first and necessarily subjecting them to judicial incubation.

3. *No person's political or civil rights should be affected by whatever religious opinions he may entertain.*

4. *No person should be disqualified for holding any office or place under the Constitution, who is a qualified elector.*

5. *The penalty of death should in no case be inflicted.**

6. *Some provision should be passed, securing to females the sole right to hold and transfer, either by sale or devise, after marriage, all property, real and personal, belonging to them previous to, and all property which they may become possessed after marriage, either by heirship, purchase, or in any manner whatsoever.*

The provision in the Texian Constitution upon this point, is, perhaps, unexceptionable.

7. *No defaulter of public monies should be eligible to any political office.*

8. *No change in the compensation attached to any public office should take effect upon the officer incumbent at the time the change is made.*

9. *The elective franchise should be extended to all persons eighteen years of age and upwards, instead of twenty-one.*

This provision concerns about eighty-five thousand citizens whom the present Constitution disfranchises, and who are as competent to assist in the selection of public officers, and as much entitled to be heard and represented in the laws as those of any other age and condition in society. No class of men possesses the same degree of disinterested enthusiasm for what is good and fair, none are so reluctant to lend themselves to political intrigue and chicanery, none are so susceptible to the emotions of national pride, as the young men whose ages are within this proscribed period. There would be more propriety—if any existed in either case—in disfranchising all those who are over seventy years of age, than those under twenty-one and over eighteen.

We regret that we only have space left us to state this proposition.

We have thus hurriedly enumerated some of the topics which will probably receive the attention of the New-York Convention. We do not presume to insist upon all the reforms in detail which we have suggested. But we ask of the Convention to so direct its councils, as to effect the three following paramount results, by whatever means, in their wisdom, they may find most efficacious:

1. A reduction and dispersion of political patronage.

2. A restriction of the sphere of government to its legitimate public functions.

3. A restoration of every citizen to the enjoyment of every liberty or privilege not inconsistent with the enjoyment of a corresponding liberty or privilege by every other.

If these three great results should be accomplished, or even approximated unto, by that body, the people, not only of the state, but of the whole union, will have abundant reason hereafter to remember with respect and gratitude the New-York Constitutional Convention for 1846.

* We sincerely hope that no member of the approaching Convention will oppose the submission of this question to the people, until he shall have read carefully Edward Livingston's "Introductory Report to the System of Penal Law, prepared for the State of Louisiana," and Sampson's "Criminal Jurisprudence." The latter work is little known as yet in this country, but we are pleased to know that an American edition is in course of preparation under the editorial supervision of Mrs. E. W. Farnham, the present matron of Mount Pleasant State Prison.

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# IS IT THE POLICY OF ENGLAND TO FIGHT OR TRADE WITH THE UNITED STATES?

This is an inquiry which it would be interesting at any time to pursue, but at the present juncture, it is highly important to know what course England will be likely to take in the unfortunate quarrel which has at last broken out into open violence between this country and Mexico. It is beyond human foresight to predict what must be the conduct of a nation, or an individual, in any given case, even with the best data for coming to a judgment. All that can be done is to demonstrate what it is their evident interest to do, or not to do—and to conclude, that their decision will be more or less in harmony. Before considering, however, the final question as to the policy England will think it wisest to adopt, let us take a cursory view of her general condition. It is not to be disguised, that she has fallen into a period of great difficulty, which, by any mismanagement on her part, may become one of the greatest danger. She has reached a crisis common in the career of both communities, and individuals, when a new position presents new reflections, demands new conclusions, and requires a new and different line of action. England is at this moment impelled forward by a resistless force, made up of commingling elements, but all tending in the same direction. She is approaching a point from which some of her people shrink as the brow of a precipice, over which are to be dashed all the most valuable interests of the land; whilst others press forward, regarding it as the longed-for pinnacle from which they are to look out upon the broad and smiling expanse of their nation's greatest prosperity. Certain it is, however exaggerated their fears or hopes may be, that England has reached a sharp and decisive turn in the well-worn road she has hitherto travelled, and whether a fall or a still greater advance is before her, cannot be otherwise than a prolific subject of anxious speculation, of blended hopes and apprehensions. It is natural, therefore, that her legislation should stop for breath before the final step is taken, and though the mind of her great minister is made up, yet does he act prudently and humanely in giving his affrighted followers a moment's pause before he summons them to his lead.

What, then, are the circumstances of England, and what is the position of Sir Robert Peel?—for so linked together is their present state, so Siamese-like their union, that any violent separation of the two would seem to threaten results of the utmost gravity. In treating subjects so complex within such narrow limits, it is easy to fall into obscurity; but every care will be taken that the occasion demands. For months past, the English people have been a prey to an agitation, not violent, but broad, deep, and alarming. The house is fairly, but most unnaturally, divided against itself, and the chances of a fatal collision are imminent. The two great interests of the state, the agricultural and manufacturing, have at last come to a mortal struggle, and the forces which should be given to their joint support, are compactly and fiercely arrayed against each other. The simple cause of this threatening feud is well known at home and abroad, and like most other dissensions, both great and small, it springs from injustice, and is prolonged in selfish obstinacy. The landed interest of England enjoys privileges it should not hold, and the manufacturing interest is denied advantages it ought to have, that both may flourish, strengthen each other, and enrich the state. This contention has gone on now for long years, and hitherto has expressed itself chiefly in political forms. The manufacturers have ingeniously employed a thousand expedients to gather strength and acquire power sufficient to meet in victorious encounter, the strong, active, and accomplished enemy they were resolved to fight. In 1832 they measured

swords for the first time on the great plain of the Reform Bill, and the decisive rout of the one, and the triumphant victory of the other, at once revealed the secret of departed strength and rising greatness, and foretold the future destinies of England. This striking measure at once took away from the agriculturists, by the destruction of the borough system, the unjust power to make laws for their exclusive benefit, and this was, surely, a great step gained. In 1835, the Municipal Corporation Bill did more, for it gave representation to the populous and splendid towns which manufacturing enterprise and wealth had reared, and at last, these two great classes met, where the battle now is raging, on the floor of the House of Commons. The last bulletin from the legislative camp informed us that a pause, which was neither armistice nor reconciliation, had taken place; and all that we can infer on this side of the Atlantic is, that one party hesitates, whilst the other only forbears. Let us glance merely at the chances of the encounter.

The agriculturists have immense resources in knowledge, wealth, and the *prestige* of high station. But the spirit of the age is against them, and paralyzes their courage. They are conscious, too, of great sins committed for centuries back. The nation is oppressed with debt from wars of their making; and further hampered by fearful taxation for their support and waste. There is no comparison between the services the aristocracy render the state, whether on the bench or in the church, and the enormous remuneration received.

The manufacturers, on the contrary, are cheered onward by popular sympathy, which, at any obstruction, breaks out into national clamor. They are backed by the intelligence of all classes, and sustained by a wealth of their own creation, and which is swelling in bulk with every hour. The odds are clearly with them; but when the important fact appears, that the preponderance of physical force is theirs, the result is no longer doubtful. Two-thirds of the English population are manufacturing.* The new tariff, then, which lingers in the Commons, must pass, and it is useless in the landed interest to resist. If they attempt it, their ruin is certain; but their previous concessions prove that they are too sagacious to risk all.

The temporary fate of this important bill is in strange hands, indeed. Is it that it has been abandoned by its unnatural parents, the manufacturers, or that it has been stolen by some cunning speculator, who rightly judged the value of the precious bantling? What does Sir Robert Peel with the tariff act, when it is the lawful progeny of Richard Cobden? How comes it that the landed interest is betrayed by the very general whom they chose to lead them to battle? No one can deny to Sir Robert Peel commanding talents, vast experience, and great elevation of character, but there are many who suspect his sincerity. This is the natural result of a false position, and one that so prudent a statesman should not have incurred. But there do come emergencies of state when a great man, and a true patriot, hesitates not to expose his motives to doubt, and his conduct to accusation, and fearlessly steps forward to accomplish a good which no other mind can effect, and to carry a burden, haply laden with the salvation of his country, which no other back is strong enough to bear.

*Fortes fortuna adjuvat.*

Sir Robert Peel, the son of a manufacturer, undertook the cause of the hostile interest. For many years he proved himself a powerful combatant, and by his superior abilities has long procrastinated commercial reform. But of a sudden, to the dismay of his adherents and the wonder of his opponents, he deserts his flag, and flies over to the enemy. Imprecations follow him; smiles of incredulity meet him, but he regards neither, and trusts to time for exculpation. Sir Robert knows he is the only man who may carry this vast reform immediately through, and avert, perchance, a convulsion that would shake the empire to its centre. The party he has deceived must obey him, or be left defenceless. The party he has joined are only intent on triumph, but, clear it is, that for the

* According to the last census there were in Great Britain only 1,215,264 agricultural occupiers and laborers twenty years of age and upwards.

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present, he leads them both.* Was it a base hankering after office, or the vulgar glory of tyrannical power, which animated the Premier to take the anomalous position he holds? The result will show. If he be a true man, he will resign his place the day when assembled thousands around St. Stephens' will fill the air with shouts at the passage of the Tariff act.

Who will succeed him, and what party must, sooner or later, sway the destinies of Great Britain, are both questions of the gravest import. But a few months since Lord John Russell, laying aside all aristocratic scruples, made a desperate effort to restore the Whigs to office by bowing his knee to the manufacturers in a declaration against the Corn Laws. Most unexpectedly he was called upon to carry on the government, and then it appeared that the Whig party, once so illustrious, was no more; but it will live forever in the patriotism of Hampden, the genius of Burke, and the eloquence of Fox. Henceforth its old leaders, whose splendid talents will sustain them, a Morpeth, a Russell and a Grey, can only aspire to place in combination with the new power which has nearly reached its apogee. The *conservative* party, the latest title of the landed interest, is still strong in Parliament in numbers, ability, and wealth, but the time is gone by in England, when the good of a class is preferred to that of the nation. The party which rules that country hereafter must be the direct and sincere expression of the interests of the whole, and of its sympathies, its wants, and its expectations. It is apparent to all from what quarter that party must come, for all the elements which constitute power in these days, numerical strength, intelligence, and wealth, are in the hands of the manufacturing interest; and so vast is its extension, and so deeply have its roots struck into the English soil, that it may claim to be the paramount, the national interest.

It follows, then, that the men who understand, guide, and represent it, must be the future ministers of England, and their views of her policy will necessarily prevail. It is singular, in how short a time the aspect of things has changed all over Europe. The subtle policy of Napoleon† laid throughout the continent the foundations of the manufacturing interest, and what was but an act of political vengeance on his part, became to these states, a novel and productive source of profit.

In France, Russia, Germany, Belgium, and Spain, manufactures have made enormous progress, and they are gradually casting the broad shadows of their influence over the manners, institutions, and laws of these lands. It is not to be doubted that commerce, and not politics, is destined to become the game at which nations will hereafter play, and that its peaceful conquests are considered a worthier stake than the success of a political alliance. Their intercourse will be regulated more nearly by a sense of mutual interest, and state-craft, with its intrigues and combinations, will fall in the commercial world to a discount. M. Guizot, in his late silly declaration of "a balance of power" on this continent, proves that the century has outstripped him. The world is not likely soon to see another Congress of Vienna; but should Europe ever be parcelled out again, we shall behold, not a delegation of Princes declaring the will of Kings, but an assembly of Merchants representing the Commercial power of the Zollverein of Germany, the League of England, and the Free Trade party now springing up in France. Yes, the day is coming, when the levelling spirit of Commerce will equalize

* The following lively description, by Leigh Hunt, of a drove of unruly pigs under the control of a master, is so aptly illustrative of the luckless Tories, that it is worth quoting, with a thousand apologies for so impertinent a comparison:—

"Unwilling was their subjection, but more in sorrow than in anger. They were too far gone for rage. Their case was hopeless. They did not see why they should proceed, but they found themselves bound to do so: forced, conglomerated, crowded onwards, irresistibly impelled by fate and Jenkins. They squeaked and grunted as in ordinary—they sidled, they shuffled, they half-stopped, they turned an eye to all the little outlets of escape, but in vain. There they stuck, (for their very progress was a sort of sticking,) charmed into the centre of his sphere of action, laying their heads together, but to no purpose—looking all as if they were shrugging their shoulders, and eschewing the tip-end of the whip of office. Much eye had they to their left leg: shrewd backward glances—not a little anticipative squeak, and sudden rush of avoidance. It was a superfluous clutter, and they felt it: but a pig finds it more difficult than any other animal to accommodate himself to circumstances. Being out of his pale, he is in the highest state of wonderment and inaptitude. He is sluggish, obstinate, opinionate, not very social—has no desire of seeing foreign parts. Think of him in a multitude, forced to travel, and wondering what the devil it is that drives him.—Judge by this of the talents of the driver."

† Berlin and Milan Decrees.

all ranks, and leave the enlightened intellects of every country to guide the emancipated interests of the mass. Who could have foreseen, but ten years ago, that a humble manufacturer would have dictated terms to the haughty aristocracy of England. Title, pedigree, and hereditary acres, must presume no longer on the ignorance and servility of an awakened people, and the oldest Duke must be content, ere long, to jog quietly on with the Manchester man of yesterday, or retire disheartened before the clear understanding and stern energy of a Cobden, and a Bright. These are the acknowledged organs of the great interest we have considered, and well have they won their proud eminence by exertions the most indefatigable, and by abilities tasked to their utmost endurance. Inspired by the justice of their cause, which embraced within its comprehensive grasp the elevation of the people, and the strength and glory of their country, they braved all, resisted all, and have conquered all. The Anti-Corn Law League, which they summoned to aid them in their gigantic work, has achieved the most brilliant triumphs, and its more especial leader, Richard Cobden, but *lately refused a seat in the councils of the Government.*

This, then, is the controlling party,* and this the man whose views will shape, and whose decisions will direct, the future policy of the English Government, whether he choose to step down from his throne of sovereign opinion and become its head, or from his loftier and more kingly position continue to impel, or to control it. At any time it would be interesting to the people of the United States to know whether that policy would be belligerent or pacific, and certainly not less so now. The power of England is colossal, her credit boundless, and her spirit bold and dauntless; but what effect a war, which attacked her best resources, would have on her domestic condition, and ultimate destiny, it is for her wisest statesmen to consider; but her Trade would bleed, and writhe, and die under the deadly blows that must fall upon its exposed and tender frame. Such a conviction conveys no satisfaction to the generous mind of America, nor does her courage require the shelter of such a guarantee; yet the obstinate fact sufficiently denotes in what direction would flow the sentiments of a man of Trade. He hears amid the stillness of peace, the clack of the spinning-jenny and the low hum of honest industry. He beholds commerce wafting its unt old treasures over every sea, and thriving trade rejoicing in its lawful gains. His tranquil mind recoils from the grim image of war, which stains with human gore the idle waters of the mill, which empties the mart, closes the shop, and covers the land with mourning.

Can it be doubted, where the honor of his country is not concerned, that Richard Cobden, the head of the League, and the trusted-of the people, would proclaim, that it is the policy of England to trade and not to fight with the United States of America? With all humility, the writer of this article avails himself of his fortunate privilege to put forth testimony on this vital point, involving, as it does, the best interests of these great nations, the free principles which both profess, and the sacred claims of humanity. It is the testimony of Cobden himself, conveyed in a letter written some few months since, and which he desired should meet the public eye of this country.

"GLOUCESTER, *December* 3d, 1845.

"Dear Sir:

"Your letter has been forwarded to me here, where I am in the midst of a series of public meetings, which scarcely leave me a moment's leisure to answer your interesting inquiry; yet I should be sorry to let you leave by the steamer to-morrow without saying a word in reply. You ask me—'What are the sentiments of the English people to-

* No better evidence can be given of this fact, than its influence over the London press. The great *Times* itself is forced to bow its supercilious head to the high behests of the Commercial party.

For years past this powerful organ has pandered to the rank prejudices of the English aristocracy, and its pompous columns overflowed with the grossest effusions of malice and insolence, against the people and institutions of this country. Calumny has now given way to truth, and perversion and abuse are succeeded by justice and correct feeling. The mystery lies in a nut-shell. It was plainly told the *Times*, last November, that if its course in this were not radically changed, a greater than the *Times* would arise, and a subscription of a hundred thousand pounds was shaken under its startled nose. The effect was magical, and the merchants of London are no longer outraged. The Mexican correspondent of this same journal, who but last summer fulminated his valorous epistles at our devoted heads, now undertakes with equal talent, and sense, to show that England has more to gain than to lose by American interference in favor of mercantile freedom, and order in Mexico.

wards America?' I don't know how I can give you a better answer than by referring you to what took place in your own presence at the great Bradford meeting last Friday. You witnessed the enthusiasm with which ten thousand people, (three-fourths of them of the working class,) responded to the announcement, that 'an American was on the platform, who had travelled from London to be present at the meeting.' You heard the loud, hearty, and unanimous cheers with which they received every sentiment favorable to peace, or denunciatory of war, between America and England. So far as I know, the feelings of my countrymen towards America, (and few have had better opportunities of feeling the national pulse,) the audience at Bradford fairly represented the nation. How could it be otherwise? In every great assemblage of the English people are to be found many persons who have near and dear connections in the United States, whilst *all of us* are accustomed, naturally, to regard your countrymen less in the light of foreigners than of fellow-citizens; our kindred in blood, language, and religion, differing only in government, and *that* more in form than in the practical working of our institutions. With such feelings universally prevalent, I need hardly add, that it would be impossible to find a large assembly in England, composed of the middle and working classes, which would not receive with enthusiastic cheers from a public speaker, expressions of respect and friendship for the American people, or which would not give the same cordial welcome with which you were greetrd, if it were announced that an American was present at the meeting. *Mind, I am speaking of the people at large, and not of cliques and coteries.*

"I have written to my brother in Manchester, requesting him to send you a copy of a pamphlet, ('England, Ireland, and America,') which I hope may reach your hand before the steamer leaves. If you take the trouble to glance at its contents, you will see that my earliest sympathies were strongly attracted towards your country; and that, in the ardor of admiration, I did not fear to hold up the conduct of the American people, and the policy of their government, to the imitation of my countrymen. Ever since the publication of that pamphlet, ten years ago, I have been an attentive observer of the politics of America, and I must say my sympathy has been in favor of the Democratic party, because it has appeared to be the corrective of the tendency on the part of the Whigs to fall into some of the vices of the old governments of Europe.

"I saw with delight the successful efforts of this party to put down the corrupting influence of the banking and paper-money systems; and am now watching with interest the war which it is waging against commercial monopolies—those exploded maxims of the Old World which, if suffered to be adopted and carried out in America, would erect an aristocracy amongst you more oppressive than any that ever swayed the nations of Europe. If, however, I were to place implicit confidence in some of your newspapers, (which I take especial care not to do,) I might be led to suppose, that the Democratic party is favorable to a war with England. The mass of the American population, which constitutes this party, is not a mob, and therefore it cannot be wielded so as to be made subservient to the ambition of designing men. The people may for a moment be misled as to the feelings of England towards them, but they will upon investigation and inquiry discover that they have been deceived. I am glad that you have had an opportunity of witnessing an expression altogether unpremeditated and spontaneous, of the *real public opinion* of the country towards America. I entreat you, as an act of humanity and patriotism, to describe the scene you beheld at Bradford, to the American people. I fear no difficulties in the way of a prompt settlement of the Oregon dispute, if the *people* of the two countries understand one another. Let no ambitious leaders on either side thrust themselves between us, and prevent that cordial friendship which ought ever to unite two nations descended from a common ancestry, and placed by the hand of God in situations and circumstances expressly designed for the mutual aid and happiness of each other.

"In haste, I remain, dear Sir,

"Yours, truly,

"RICHARD COBDEN."

Sentiments like these require no commentary. To accuse such a man, whose whole heart is given to the elevation of the down-trodden masses of England, and whose indomitable energies are directed to the support of American principles the wide world over—to accuse such a one, I repeat, of a sordid devotion to self-interest, in his enlightened and christian love of peace, would be a wanton act of stupid malevolence.

Neither the rash zeal of his party, nor the assaults of his domineering opponents, have, in the least, urged him from his upright path, or disturbed the steadiness of his mind.

*Justum et tenacem propositi virum,*
*Non civium ardor prava jubentium,*
*Non vultus instantis tyranni,*
*Mente quatit solida;*

The Tories of Great Britain may heap their slanders and execrations upon the man whose sturdy blows are shattering to pieces their cruel and selfish policy, but what recks he so long as the popular standard waves in triumph over their strongholds. The gratitude of the people he serves shall be his reward; whilst the admiration of the free, and the reverence of the enslaved, sweeping over land and sea, shall come, like the wholesome breeze of Heaven, to invigorate and inspire him to loftier schemes of Reform.

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# MEXICO.

It is of the highest importance, in order to the just estimation of our own rights, condition and character, to know how they are judged by parties having adverse interests to ours, or who by their position are enabled to regard objects from a point of view impossible to ourselves.

For this reason, as well as for the intrinsic value of the matter it contains, we have read with great interest the late work of M. Duflot de Mofras, entitled "Exploration du Territoire de l'Orégon, des Californies, et de la Mer Vermeille."

This work purports, on the title-page, to have been published by order of the King of the French, under the auspices of the President of the Council (Maréchal Soult,) and of the Minister of Foreign Affairs (M. Guizot.)* It is, therefore, a semi-official publication. As such, it is dedicated (by permission, of course) to the Duc de Dalmatie.—And rumor adds, that the king himself has given it the stamp of his approbation, by presenting copies to other European sovereigns.

M. de Mofras explains the origin of the work in a brief "Avant-propos," as follows:

"The uncertainty of the notions possessed in regard to the western coasts of New-Spain, the Gulf of Cortes, the internal Provinces of Mexico, the Russian Establishments, as well as the Territory of Oregon, now disputed between England and the United States;—the immense future reserved to the whole of the coast of America, situated to the north of the Equator, and washed by the North Pacific;—the interest which has already attached to the different archipelagos of the South Sea;—the development of our navigation and of the whale-fishery in those regions: all these considerations had long engaged the attention of the French Government. Accordingly, at the close of 1839, M. the Maréchal Duc de Dalmatie, President of the Council of Ministers, and then Minister of Foreign Affairs, wishing to utilize the ideas, which I had acquired on these points, by previous travels in America, and by a residence of three years in Spain, called me from the French Embassy at Madrid, to which I was attached, and transferred me to the King's Legation at Mexico, with the special mission of visiting the western parts of Mexico, New-Gallicia, Colima, Sinaloa, Sonora, the Gulf of Cortes, Old and New-California, the Russian Forts near there, the posts of the Americans and English at Astoria, and throughout the whole extent of the river Columbia and of the Territory of Oregon;—to ascertain, in fine, independently of the political point of view, what advantages might accrue to our commerce and our shipping from mercantile expeditions, and the establishment of factories in these regions, as yet little known in France."

The exploration by M. Duflot de Mofras, undertaken with these enlightened views, was pursued during the years 1840, 1841, and 1842, and the result is presented in this work, comprehending the geographical description of California and Oregon, the history of discoveries, the hydrography of the coast, the statistics of the country, the manners of the inhabitants, the missionary establishments, details of commerce, and in addition to all this, much general information in regard to the whole of Mexico. In the matters treated, it commences, indeed, where the great work of Von Humboldt, on New-Spain, ends, and may be considered as a kind of supplement to the latter.

From the mere statement of the nature and contents of the work of M. de Mofras, our readers will perceive that it possesses many titles to consideration in this country; and we cannot but think that some one of our booksellers would render a useful service to the community, and find his own account, in publishing a translation of it in a convenient form for circulation in the United States.

It will be understood, of course, that M. de Mofras writes in the interests of

* Exploration du Territoire de l'Orégon, des Californies, et de la Mer Vermeille, exécutée pendant les années 1840, 1841, et 1842, par M. Duflot de Mofras, Attaché à la Légation de France à Mexico: Ouvrage publié par ordre du Roi, sous les auspices de M. le Maréchal Soult, Duc de Dalmatie, Président du Conseil, et de M. le Ministre des Affaires Etrangères. 2 tom. 8vo. avec atlas. Paris. 1833-1834.

the French Government. A Frenchman, and conducting a journey of exploration in behalf of his Government, it would be strange, nay reprehensible, if he did not regard things in a sense of utility to France. But it is not the fact, as some persons have been led to infer, from the conclusion he arrives at on the subject of the conflicting pretensions of England and the United States in Oregon,—it is not the fact, that he is actuated by any general bias in favor of England as against the United States. On the contrary, as we shall presently show, while he exaggerates our imputed spirit of aggression towards Mexico, still he does not extenuate the misconduct of Mexico herself, and he repeatedly utters aspirations for the extension of our power on this Continent rather than that of England.

It will be understood, also, that M. de Mofras is in principle a *monarchist*; that of course he writes with monarchical prepossessions, which break out in occasional *flings* at Democracy, and manifest themselves more emphatically in his speculations concerning the present condition and future prospects of the Mexican Republic.

With these reservations in advance, made that our readers may not understand us as approving, even where we do not stop to condemn expressly, such of the sentiments of M. de Mofras as are injurious either to the United States or to Democracy, we shall produce sundry translations from his work, on points of special interest to the United States at the present time, interspersing occasional remarks of our own in elucidation or confutation of his views, but of course, without intending, in a form so merely incidental, to discuss at length the general questions at issue between the United States and the Mexican Republic.

We commence our extracts with the following very instructive review of the military, financial, and political state of Mexico.

"No one of the former vice-royalties of Spanish America has felt more cruelly than Mexico the disastrous effects of the new political era decorated by the name of *Independence*. To the well-being and tranquillity, which New-Spain enjoyed, have succeeded continual agitations, general poverty, and the most marked symptoms of dissolution. Ever since 1824, after the ephemeral reign of the Emperor Iturbide, to the misfortunes growing out of the struggle with the Mother Country, have come to be added the disasters of the war carried on by the insurgents among themselves; and as if to strike the final blow at the prosperity of Mexico, the Federal Congress decreed, in 1827, the expulsion of such of the European Spaniards as had escaped from previous assassinations. With them disappeared the capitals of industry, the resources of commerce, the fortune of the country. Banished by a parricidal law, the principal merchants took refuge abroad, and there remained. Opulent proprietors, high functionaries, the possessors of great riches, transferred these to England, France, Spain, the United States. Important *exploitations* were suspended; the fertile soil of Mexico, its metallic treasures, its admirable geographical position, its ports on the two oceans, became in a great degree sterile advantages; there remained for this impoverished country, to compensate its disasters and its faults, nothing but an empty and sounding name, the phantom of liberty.

"The Spanish domination, on the contrary, had rendered Mexico flourishing: she had come to be surrounded with all the conditions, which render nations great and governments respected. A considerable marine, numerous fortresses, a well-disciplined army, an equitable and vigilant administration, salutary municipal laws, the most brilliant financial position,—such were her means of action, her elements of power.

"Hernan Cortes and Charles V. had first created excellent regulations of colonization. In his turn, Philip II., whose political views were so firm and so vast, laid the foundation of the legislation of the Indies. Perfected by Philip V., the work proceeded, and received an immense development under the glorious reign of Charles III. A great minister, the Conde de Aranda, trembled with good cause, on seeing the United States break loose from the sovereignty of England and proclaim their independence. He comprehended that, after their example, the Spanish Colonies could some day detach themselves from the Metropolis, and, even at the risk of giving offence, he indicated this danger to his Sovereign. Enlightened by these wise counsels, by these luminous provisions, Charles III. then thought of erecting the American vice-royalties into kingdoms, and of raising to these thrones the infantes of Spain. He would have reserved, for himself, the title of Emperor of the Indies, placing thus the kings of his family in the condition of vassals, leaving Spain still to regulate their interests, and making of Spain the grand centre from which the superior impulsion should issue.

"This plan, which contained within itself the germ of great results, since it might

have rendered the Spanish domination over her colonies impossible to shake, was abandoned. Time and circumstances were wanting to Charles III. for its accomplishment.

* * * * * * *

"The storms raised in the Peninsula by the French Revolution, the weak administration of Charles IV., and, above all, the intrigues of England and the United States, insensibly detached New-Spain from the Metropolis.

"A first cry of independence, uttered in 1810, was easily stifled; but the movement became more decided in 1814, and in 1820 it acquired a character truly alarming. Spanish generals, such as Xavier Mina, Echavarri, Arana, and Negrete, deserting the royal standards, brought to the insurgents the support of the needful military science and discipline. This was, besides, the fault of Ferdinand VII. On his return to Spain, he had opened his arms to the absolutist faction, proscribed the liberal party, deprived the most devoted generals of their rank, and struck at the very men who had preserved for him his crown.

"The Spanish officers, who happened to be in America during these persecutions, were indignant against a system, which condemned to ostracism the most glorious names of the country. This sentiment drove them into the ranks of the insurrection, and, if it does not excuse their treason, yet extenuates its enormity. In vain did the generals, who remained faithful to the Mother Country, D. Josè de la Cruz, Calleja, Novella, Venegas, and Trujillo, combat valiantly for the triumph of her cause: success favored the revolt; and, at the commencement of 1822, the definitive separation took place. It was a day of madness, expiated by years of disasters.

"Every new condition of things, in order to *legitimatize* itself, needs to calumniate that which has succumbed. An act of accusation was drawn up against Spain: she was charged, among other things, with having kept aloof the Spaniards of America, and favoring to their prejudice those of Europe: but this imputation is altogether false. * * *

"The pretended cruelties exercised against the Indians, were not less unfounded. If, in the times of the first conquest, acts of violence were unfortunately inevitable, yet the Spanish domination labored assiduously to disseminate among the aborigines the elements of religion, of instruction, and of tranquillity. * * * *

"No exact idea exists in Europe of the magnificence which the Spanish American cities still retain, notwithstanding the devastations of war, and the comparative inaction to which they are consigned by the unstable political condition of the country. They possess even yet some appearance of order and of local administration; and this fact readily becomes intelligible, when it is remembered that in Spain, as in her colonies, the central power has but limited action over the provinces, which themselves administer their revenues, and whose interests are protected by admirable municipal laws. Whoever, indeed, wishes to realize what has been the past splendor of Spain, must go to her American Colonies to see its traces and its proofs. In viewing the last vestiges of this marvellous prosperity, it seems as if that nation, bending beneath the weight of its own greatness, was under the necessity of diffusing over other countries the superfluous excess of its force and its vitality.

"Such was, in few words, the state of New-Spain under the domination of the Metropolis: let us next examine what Mexico has become under the *régime* of *Independence*.

"Immediately after the entrance of Iturbide into Mexico, at the head of the insurgent army, the Constituent Congress met, and, in May, 1822, proclaimed this general Emperor. But the jealousy of his brothers in arms applied itself very soon to making him unpopular, and after having held authority for some months, he was dethroned, exiled, and outlawed.

"The supreme executive power, composed of generals Bravo, Michelena, and Victoria, governed until the latter was elected the first President of the Republic.

"Hereupon, Iturbide, whom the hope of recovering power had followed in his exile, left Europe, landed in July, 1824, near Tampico, and did not fear to trust himself to the loyalty of the governor of this city, General Lagarza. The latter welcomed him warmly, loaded him with attentions, seated him at table, and an hour afterwards sent him a priest that he might confess himself. The unhappy Iturbide, the victim of his credulity, was shot, in open violation of all honor.

"As to General Victoria, he continued in the Presidency until the regular close of his term, in 1828, when he was replaced by Pedraza, who had been legally elected to succeed him. But, environed by skilful intrigues and ardent rivalries, Pedraza was immediately dispossessed, and constrained, for the preservation of his life, to fly from Mexico in the disguise of a monk. Guerrero came next: he, borne to the Presidency by the federal party, was, in 1829, overthrown by the Vice-President, Bustamante, who got up the revolution called that of Jalapa. Guerrero, with a price set upon his head, like Iturbide, fled with precipitation towards the southern departments, gained the coast, and took refuge on board a Sardinian vessel, commanded by the Genoese captain, Picaluga,

This person, to whom Guerrero had imprudently trusted himself, delivered him up to the authorities of Acapulco, by whom he was immediately shot, and who gave fifty thousand dollars to Picaluga as the price of his treachery, for which, afterwards, in a noble impulse of indignation, the city of Genoa pronounced him *infamous*.

"During these bloody tragedies and ephemeral reigns, the country suffered, the laws were disregarded, morals corrupted, and commerce impoverished.

"Nevertheless, Bustamante maintained himself in the Presidency until 1833, when Santa Anna, who had been one of the boldest agents of revolution, and who began to feel strong in his popularity, took up arms against Bustamante, beat him, forced him into exile, and re-established Pedraza, who was attached to the federal party. But, weary at length of laboring only for others, Santa Anna now chose to work more efficiently for himself. In 1834 he overthrew the federal party, seized on the Presidency, and kept it until 1836. At this period the hostilities, which had broken out between Mexico and Texas, determined him to commit the executive power to General Barragan. He took the command of the army, and in the course of the war fell into the hands of the Texians. Whilst these events were taking place, Bustamante returned from exile; his party regained the ascendancy; and he was again raised to the Presidency, which he retained for nearly five years.

"Meanwhile, Santa Anna, who, with his customary dexterity, had obtained his liberty from the Texians, thanks to an illusory engagement to acknowledge their independence, deeming it opportune to hold himself aloof for a time, retired to his *hacienda* near Vera Cruz, where he lay in wait until events should recall him into active life.

"Santa Anna being on one side, other ambitions began to appear. General Urrea *pronounced* against Bustamante in 1840, made him prisoner in the government-palace itself, and proclaimed Gomez Farias in his place. At length, the dispossessed President escaped from the hands of the insurgents, and rallied around him some faithful troops. A struggle ensued, and for two weeks a fire was kept up, with more noise than effect, as it did little more than to destroy some houses and a portion of the palace of government.

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"Invested anew with the Presidency, Bustamante decreed a general amnesty, and annulled the laws promulgated during his captivity, declaring that, in this interval, the Republic had been *acephalous*. * *

"A year only had elapsed, and on the 8th of August, 1841, General Paredes, Governor of New Gallicia, pronounced at Guadalajara against Bustamante, collected on the way two thousand men, and marched on the city of Mexico, before which, by a concerted movement, Santa Anna presented himself at the same time. After thirty-five days of skirmishing, this last was proclaimed Provisional President by the army, and made his solemn entry into the city of Mexico on the 6th of October, whilst Bustamante proceeded by way of Vera Cruz to Europe, carrying with him the fruit of his economies, and the memory of his past greatness.

"Since that time, Santa Anna has disposed at will of the destinies of the empire of Montezuma. He has been recently elected to the Presidency for five years; and some persons go so far as to ascribe to him the same ambitious views, which led to the downfall and death of Iturbide.

"But Santa Anna is too clear-sighted to allow himself to be caught by the vain show of a title, which would surround him with perils, without augmenting his authority; if he clings to power, it is less for the lustre which it throws around him, than for the effective advantages it imparts. A soldier of fortune, he has embraced all sides successively, according to the necessities of his interest. At first, a subaltern officer in the Spanish troops, he joined the insurrection in 1820, because he saw it strong and sustained. He obtained from Iturbide the command of the eighth regiment of infantry, and was by him made a brigadier. An enterprising character, some military talents, extreme suppleness, and above all, the ability he manifested in the affair of the unfortunate expedition of (the Spanish) General Barradas, drew to him the public attention and confidence." A mixture of Spanish and of Indian blood, Santa Anna has the art of one, and the force of the other. His black eye is full of subtlety and of fire; and he preserves at fifty all the vigor of an earlier age. Cruel sometimes even to ferocity, he caused, in 1835, the Texian detachments, which had surrendered, to be shot, in contempt of the terms of capitulation. Fond of popularity, he does not shrink from any means of preserving it, and he is often to be seen at cock-fights, confounded in the crowd, and betting a dollar in favor of one of the combatants, like the lowest *lepero*.

"It would be wrong, however, to imagine that the dictatorship, which he exercises, is destined to be durable. Germs of profound discontent are developing themselves around him: the different chiefs who have aided him to overturn Busta-

* M. de Mofras should have added, that subsequently to his reverses in Texas, Santa Anna regained his popularity, by his efforts against the French at Vera Cruz.

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mante, are already his enemies, they will soon be his rivals. The most to be feared of all, by reason of his intelligence and courage, is General Paredes, who, after giving the signal of the revolution, has fallen into disgrace, and lives retired in a little interior town; in the south, towards Acapulco, General Bravo has managed to place himself in a sort of independence; and General Urrea, all-powerful in the rich provinces of Jalisco, Sinaloa, and Sonora, has by no means renounced the hope of separating them from the central government, and of rendering them free, under the denomination of 'States of the West.' Bustamante, on his side, has not lost all chance of regaining power, flattering himself that the will of the nation will recall him from Italy, whither he has retired; and the Generals Valencia, Gomez Farias, Tornel, and Pedraza, all cherish in their hearts a secret hope of elevation to the Presidency.

"Santa Anna himself has no faith in the duration of his government; he does not slumber in a false security of the future; but he occupies himself incessantly with the augmentation of a private fortune already large. Thus it is, that, realizing, either personally or by his confidants, enormous profits on the different contracts made by the government, he has received two hundred thousand dollars on the tobacco monopoly; a hundred thousand on the licenses granted to English houses; and two hundred thousand on the million employed in part the last year in making purchases of arms in Europe.

"This example, which the highest functionaries do not fear to give, finds numerous imitators among the subordinate *employés*. Incredible disorder pervades the public administration of Mexico. Attacks by armed banditti and murders are of extreme frequency in all the provinces, on all the highways; and not a week passes that the diligences from Mexico and Puebla are not robbed in the very environs of those cities.* Officers cause robberies to be committed by their troops, in order to divide with them the spoils of travellers; and it is well remembered that Colonel Yanez, whose band robbed and killed the Swiss Consul at Mexico, M. Mairet, in 1835, was the friend and aid-de-camp of General Santa Anna, then as now President."—*Tom.* i. p. 1–17.

M. de Mofras wrote the foregoing in the year 1843. It will be seen how just a conception he had formed of the relative position of Generals Santa Anna and Paredes. In November, 1844, Paredes, then at Guadalajara, in command of an expeditionary force destined for Sinaloa, placed himself at the head of a new revolution, which hurled Santa Anna from power, drove him in turn into exile, and resulted in the elevation of General Herrera. And, before another year had elapsed, Paredes again *pronounced*, while near San Luis Potosi, in command of troops intended for the invasion of Texas, and this time himself assumed the Presidency, thus continuing to the present time the series of revolutions, but holding power by a tenure as precarious as his predecessors, and subject at any moment to be overthrown by Santa Anna, Urrea, Arista, or Almonte.

We do not undertake to avouch the perfect accuracy of M. de Mofras' statements concerning the means by which Santa Anna has acquired his great wealth; but the general fact, certainly, has universal credence in Mexico. And the disorder, which he alleges as pervading most of the branches of administration, is undeniable. Indeed, he has under-stated rather than exaggerated, the state of dilapidation and anarchy into which the Mexican Republic, with all its vast natural resources, has unfortunately sunk. Torn every year by military revolutions,—distracted by personal ambitions and the fury of party passions,—its internal provinces wasted by the incursions and depredations of the border Indians,—with two great sections of country, Yucatan and California, in a state of permanent revolt,—nearly all such of its eminent public men as have survived the vicissitudes of civil war, having gone through an apprenticeship to experience, in the sufferings of foreign exile,—its finances in utter ruin,—industry, commerce, education, all internal affairs in the lowest stage of depression and misery,—the highways thronged by banditti,—subject, by the mal-administration of its international affairs to many millions of unpaid claims due to England, France and the United States,—such is now the miserable condition of the rich, great and populous Mexican Republic.

M. de Mofras has drawn a graphic picture of the never-ending revolution-

* It is due to General Paredes to say, that, while he was in command at Guadalajara, he broke up the banditti in the department of Jalisco; and any officer of like vigor might do the same in the department of Puebla, which is rendered infamous by the unchecked highway robberies, which are so frequent at the pass of El Pinal and elsewhere in that department.

ary changes, to which the tenure of executive power in Mexico has been subject, since her separation from the Mother Country. Except Victoria, we believe, there is not one of her Presidents, who has not either obtained the office, or been deprived of it, by extra-constitutional means. Pedraza is elected to the Presidency, and a tumult puts Guerrero in his place. In like manner, Bustamante is substituted for Guerrero; Pedraza for Bustamante; again for Bustamante Santa Anna; Herrera for Santa Anna; and Paredes for Herrera. To us, in the United States, who, now for seventy years of independent government, have seen the depositories of the supreme executive power designated by public suffrage in the forms of law, and the chief magistrate peacefully pursuing his official career until it shall have been determined by his own decease or the conclusion of his regular term of election, without a single instance of deviation or of constitutional irregularity,—and in whose whole history there is not a single case of death or forced expatriation for political cause, —to us, in view of all this, the vicissitudes of power in Mexico, in respect of *persons*, constitute a sufficiently strange and anomalous fact in the condition and history of that Republic. But the *constitutional* vicissitudes of the Mexican Republic are equally extraordinary.—The Mexican, like our own, is a government of written constitutions. Fifty-seven years have now elapsed since the constitutional organization of this Union: during all which time, not a single change has been made in its organic principles, and but one, and that unimportant, in its organic forms; and it has long since become consecrated as it were by the prescriptive veneration of the whole people of the United States. Whilst, in Mexico, new Constitutions have been almost as frequent as new Presidents, and each subsisting Constitution is unhesitatingly set aside from time to time, as so much waste paper, by whatever ephemeral chief happens to sway for the moment the destinies of the Republic.

However, it is but just towards Mexico to say, that a comparison of our case with hers is not, perhaps, a perfectly fair one; since the political organization of the United States is a much more stable and surely working machine, as the experience of two generations demonstrates, than even the old established governments of Europe possess. In that period of time, we have enjoyed uninterrupted political order and domestic peace, while Great Britain, Russia, France, Austria, Spain, Portugal, the Netherlands, Switzerland, Naples, indeed, nearly every other primary European state, have each in their turn, and some of them more than once, been cursed with violent public convulsions, and sanguinary civil wars, the occurrence of which in any country is the true test of a radical deficiency in its political or social organization. A late English pamphleteer proposes to put the United States to the ban of all Europe, because of our imputed absence of internal and external legal order: showing, in this, not only the most stolid ignorance in regard to the condition of the United States, but also the blindest stupidity in regard to that of Great Britain.

M. de Mofras contrasts, in the extract we have given, the flourishing state of Mexico while subject to Spain, and its misery as an independent Republic. Doubtless, he is in some degree right, so far as respects the mere fact; but he is not right in arguing that no sufficient inducements existed in Mexico to impel her to throw off the yoke of the Mother Country. He does not expose, either completely or truly, the causes of the great revolutionary movement, which dissolved the tie between Spain and her colonies in America. The colonial monopoly itself was an adequate cause of revolution. In addition to all the indirect advantages she derived from this colonial monopoly, Spain drew from Mexico annually, a net revenue of ten millions of dollars, for objects in no sort or degree Mexican. It was, therefore, a very simple question, to wit, whether the people of Mexico should be governed, and their resources employed, for their own benefit, or for that of Spain. Why has the change, a good one in itself, from colonial vassalage to independence, failed of its expected fruits?—Why has convulsion succeeded convulsion in Mexico, almost as regularly as the revolving year? M. de Mofras explains, in part, this important fact; and we shall complete the explanation. He proceeds to say:

"The composition of the Mexican army sufficiently accounts for these extraordinary facts. It is recruited in part by the aid of countrymen and Indians torn by force from their villages, and in part among the criminals shut up in the prisons and penitentiaries. I was myself informed by a Mexican colonel at Guadalajara, that, in order to supply the place of deserters, he had caused the eight hundred malefactors in the public prison to be paraded before him by squads, in order to choose from among them the best-looking and most robust men. This being done in the first place, he then inquired of each one the length of his punishment, and a convict, for instance, who had been condemned to imprisonment at hard labor for ten years, had the residue of his punishment remitted, on condition of his serving five years in a regiment. What could be expected from such soldiers? In Europe, the military uniform is, for him who wears it, an honorable distinction. The army is purified constantly by turning over the criminals to penitentiary establishments. In Mexico, the difference between the galley-slave and the soldier is almost null, since, as we see, the regiments are filled up by means of miserable bandits.

"Desertion cannot fail to be very great in an army where no military discipline is exercised, where no authority is respected: the countrymen escape and regain their farms, while the malefactors rejoin their bands, or hide themselves in the suburbs of the cities.

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"In spite of the efforts of the new President (Santa Anna) to augment the military resources of Mexico, he has only succeeded thus far, in forming an effective force of twenty thousand soldiers, in rags, barefoot in great part, and armed with bad English muskets.

"The regiments of infantry are commonly composed of two battalions, and are commanded by a colonel. Each battalion, under the orders of a lieutenant-colonel, and frequently of an honorary colonel, is at the most of three hundred men, and many of them do not count one hundred and fifty. The companies, of twenty-five to thirty men, have for commander a lieutenant-colonel or major, to whom are joined a captain, two lieutenants, and two sub-lieutenants, that is to say, *one officer for four soldiers.* There are the same disproportions and the same disorders in the cavalry, and squadrons of fifty men include six or seven officers.

"The artillery would find it difficult to assemble thirty field-pieces, mounted and of the same calibre: as to siege, hill, and coast batteries, workmen, bridge-equipages, and artillery-train, they are things wholly unknown. Almost all the powder even has to be bought in the United States or in England.

"The engineer-arm, which is quite on a level with the artillery in regard to *matériel*, is composed of a battalion of two hundred men in garrison at Matamoros, and of a company occupying the barracks, ridiculously called the *citadel* of Mexico.

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"It will be perceived, that, judging from the number and composition of the *états-majors*, the Mexican army ought to exceed that of all Europe united; for though it has hardly *twenty thousand soldiers*, it counts *twenty-four thousand officers.*

"Besides, if mere individual courage is not wanting either to officers or soldiers, still it is not sustained by that ardor of patriotism, which enables men to bear up patiently under sufferings, privations, and reverses, and facilitates the greatest achievements. * * *

"Composed of six (seven) millions of inhabitants, Mexico is subjected to the intrigues of six or seven thousand officers; and * * * this beautiful country, so prosperous and so opulent when it was called New-Spain, is now crushed beneath a military despotism.

"The military marine only counts, at Vera Cruz, two new steamers, and an old one which has become unseaworthy, together with a schooner of one hundred and fifty tons burden, armed with four guns,—and on the Pacific, three revenue cutters carrying each four carronades,—all commanded by Mexican officers, and manned by sailors of all nations, except the two steamers, of which the crews, officers, and commanders *were* wholly English, but the officers, who belonged to the English navy, left at the end of a year's service.

"At every point of the Mexican territory, the magnificent works of fortification, erected at great cost by the Spaniards, are falling into ruins. The frontiers of the North are stripped, and the northern provinces wasted by hordes of savages, who advance to within thirty leagues of the city of Mexico.

"Under the *régime* of the Metropolis, a wise combination of *missions* and *presidios* arrested the depredations of the Indians, and spread among their tribes the blessings of religion and the lights of civilization. The strategic line, which comprehended an extent of more than twelve hundred leagues, began at the port of San Francisco and at Monterey, in Upper California, and descended from north to south as far as San Diego. From that point, it sent off two branches, to embrace the two coasts of Lower California; then, crossing the Colorado of the West, it followed the Rio Gila, passed the Sierra Madre, and af-

ter having covered New Mexico and Texas, it came to a termination at the extremity of Florida, thus dividing America in its entire breadth, and placing the shores of the Atlantic in communication with those of the South Sea.

"Within this line, the governors and indefatigable missionaries collected colonists,—founded *pueblos*, or villages composed of Spaniards and converted Indians,—taught them the cultivation of the earth, the *exploitation* of the mines, and mechanic arts. These various points, secured by presidial companies, were connected together, and formed a complete system of colonization and defence.

"The Jesuits had the glory of first conceiving, and in part executing, this admirable plan, so worthy of the vast enterprises of that famous society..

"What remains of this once powerful and compact organization? Ruins and anarchy. So that now, when a traveller, stopping before the ruins of some old edifice, asks what it was built for, the answer invariably is: 'That was a college, a church, or barracks—*in the time of the King.*'

"In a financial point of view, the situation of Mexico is not less deplorable.—Her revenues do not reach fifteen millions: her expenses exceed eighteen millions, and it is remarkable, that of this budget the army alone absorbs *thirteen* millions. It is idle for the creditors of Mexico to be looking for repayment. This is impossible in the actual circumstances. —The internal debt alone exceeds fourteen millions of dollars; that of England amounts to ten millions seven hundred and twenty thousand pounds sterling; and the claims of the United States and France to a large sum in addition.

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"How different this disastrous state of the finances of Mexico from that under the Spanish government! The revenue then exceeded twenty millions: a subsidy of four millions was sent every year to Havana and to the Philippines, and a clear surplus of six millions to Spain.

"Such is the state into which Mexico has fallen under the new state of things, which rendered her independent of Spain." —*Tom.* i. p. 17-25.

In these facts, we have, undoubtedly, the *immediate* cause of all the miseries of the Mexican Republic. It is the army, which consumes the revenues of the country, and keeps its finances in a state of perpetual dilapidation. It is the army, which, in the hands of one chief after another, interferes incessantly in public affairs, to annul elections, dispossess the constituted authorities, and change the constitution of government. It is the army which maintains that worst of all despotisms, the despotism of a military anarchy, not unlike that of the Mamelukes of Egypt. Other facts contribute to the general result in a less degree. One is, the absurd system of commercial prohibitions and monopolies, which fills the land with smugglers, and leads to corruption and abuses of all sorts in the civil administration. Another is, the reckless irregularity of Mexico in all her international relations, which keeps her always embroiled with foreign governments, with France and England, for instance, not less than with the United States. But the primary cause of all the degradation of Mexico, is the army, which, in a spirit of rapacious anarchy, and with its miserable military factions, any of them strong enough to seize power but none of them strong enough to consolidate and maintain it, constitutes the standing curse of the Republic.

The remarks of Sir Woodbine Parish, in regard to Buenos Ayres, are to the point, and are just and true. He says:

"The present political state of the provinces of La Plata is certainly very different from what was expected by the generality of those who originally took an interest in the fate of those new countries. It is, however, a state of things not confined to the Republic: we shall find, more or less, the same scenes, the same violent party struggles, the same continual changes of government, the same apparent incapacity for arriving at anything like a settled political organization, in almost every one of the several independent states into which the old possessions of Spain on the New Continent have resolved themselves; and this under circumstances, to all appearance, the most dissimilar with regard to the locality, climate, soil, language, wants and physical condition of the inhabitants; with no one common element, in fact, in their composition, save their having been all born, brought up, and habituated to the same colonial system of the Mother-Country.

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"When the struggle came, the question of their independence was soon settled irrevocably; but, as to the elements for the construction at once of anything like a good government of their own, they certainly did not exist.

"Under these circumstances, what was perfectly natural took place. In the absence of any other real power, that of military command, which had grown out of the war, obtained an ascendancy, the influence of which, in all the new states, became soon apparent. They fell, in fact, all of them, more or less under military despotism."—*Buenos Ayres and the Provinces of the Rio de la Plata*, p. 7.

Still, in rightly fixing on the army as the *immediate* cause of the calamities of the country, M. de Mofras stops short of that, which, in a practical point of view, it is desirable to understand, namely, how the army came to acquire so much power in public affairs, and why the country does not rise up as one man and rid itself of such an intolerable tyranny.

We shall be able to see our way to the solution of this problem, if we compare the history of Mexico, in two or three particulars, with that of the United States.

In the first place, the long duration of the war of independence in the Spanish Colonies, tended to make the civil subordinate to the military men. Remember how deplorable was the condition of the United States at the close of our war of independence, and how much the great virtue of ONE MAN did to save us from the same train of events which have occurred in Mexico. Suppose, with us, the conclusion of peace with England had been delayed eight years longer: what would then have been our condition? Would not our finances have been in the last degree of disorder? Might not the army have become the predominant power in the state? Might not military factions have taken the place of political parties in the United States? Certainly, there is room to fear that such might have been the case, if we had been compelled to continue the war, and to hold ourselves constantly armed against invasion, for fifteen or twenty years, by reason of a failure for all that period to make peace with Great Britain.

In the second place, it is to be considered, that not only were the people of the British Colonies better fitted than those of Spain to carry on independent government, by their past experience and training,—not only were the former of that British race mixed of Celt, and Roman, and Teutonic, and Norman, which seems to be endowed with a peculiar aptitude for the business of empire,—but, in addition to this, and above all, the relations of the question of *caste* constitute an all-controlling difference between the condition of Mexico and of the United States. *Race* is the key to much that seems obscure in the history of nations. Throughout the world, the spectacle is everywhere the same, of the whiter race ruling the less white, through all gradations of color, from the fairest European down to the darkest African. On every throne of Europe, (except Turkey,) there sits a sovereign of Norman or Teutonic lineage. In Africa, wherever stable government exists, either Europeans rule, (for even Mohammed Ali is a Macedonian by birth,)—or, if native dynasties exist, it is the dark Arab or Moor, who rules the yet darker aboriginal African. In Asia, it is for the most part the same; the European dominating over Hindus, Arabs, Malays, Chinese, wherever he chooses to appear and to assert his supremacy of intellectual and moral force; and elsewhere the same relation of color existing, whether in the shape of a Manchu dynasty in China, a Mongol in Hindostan, or a Turkish in Syria and Arabia. In America, the aboriginal Red man and the imported Black man, are everywhere subject to the White man. And, to narrow the question down to the case of Mexico and the United States, the remarkable difference between the two is, that, while in the latter the ruling white race constitutes about *six-sevenths* of the whole population, in the former it constitutes only *one-seventh*. Assuming the population of Mexico to consist of seven million human beings, we must set down six millions as composed of Indians or half-breeds. In a society thus constituted, we look in vain for those enlightened popular masses, without possessing which, no country has the first elements of a free representative Democracy.

In the third place, owing to the vast magnitude of the Spanish Empire in America, and the want of geographical or personal association between its several members, it happened, when they fell off from the Mother Country, that the gravest difficulty arose to decide what should be the constituent parts of each independent Republic. The

greatest of the men of the Spanish American Revolution, Bolivar, after succeeding to combine three of the old colonial governments, Caracas, Bogota and Quito, into one Republic, sank under the attempt to add a fourth, Lima, and, in the endeavor to effect this, Colombia itself was dissolved. Buenos Ayres, claiming to be the capital, in the new state of things, of all which its Viceroy had swayed in the old, has tormented itself by the fruitless effort to prevent the separation of Upper Peru, Uruguay and Paraguay. And Mexico has been actuated by the same fatal pride. The Mexican Republic might, indeed, have kept together most of the former parts of New Spain, if the great central provinces had been content with, or had been able to carry on, the *federal* system; but the moment those great central provinces overturned the federal, and adopted the *central*, system, that moment the Republic lost her hold of the remoter provinces. Ever since that day, the Republic has been wearing itself out in the struggle to withstand the centrifugal tendencies of Yucatan, California, New Mexico and Texas. The ten years of warfare against Yucatan and Texas have been replete with disasters, military and political, to the whole Republic, and have afforded a pretext for keeping up a large army, after all cause of fear from Spain had utterly ceased.

Finally, (not to extend this course of remark too far,) Mexico has undoubtedly *suffered* greatly in her relations with England, France, and the United States. Was it by their fault or hers?

If the United States alone had disputes with Mexico, there might be an appearance of plausibility in ascribing their origin to the desire, which the American Government has entertained, to obtain the cession of Texas and a part of California. But inquiry will show these disputes to have been prior to, and in their nature and cause wholly independent of, the question of Texas. The causeless delay of Mexico to ratify treaties, their non-execution by her when ratified, the plunder and oppression of our citizens in various parts of Mexico while peacefully engaged in agricultural or commercial pursuits, under the guaranty of treaties and of the laws of the land, her suffering our public agents to be robbed and insulted, the intolerable abuses and violences perpetrated under the cover of revenue law by the officers of her ports of entry,—these things, and many others of the same character, which Mexico has done or permitted to our injury, cannot derive the least justification or excuse from any act of the United States.

M. de Mofras developes (tom. i. ch. 2,) the series of injuries committed by Mexico against the subjects of England and France, which have involved her in a continual controversy with these two governments, which, so far as France was concerned, led to mutual hostilities, and on account of which neither government has yet received from her full satisfaction; besides which, new causes of grievance arise every day. We are in the same condition: having larger unsatisfied claims on Mexico for injuries she has inflicted on the public agents and private citizens of the United States.

All these things prove, that, if Mexico suffers in her relations with other powers, it is, primarily, because of her own domestic disorganization, the instability of her institutions, the anarchy of her government, and the mismanagement of her international affairs. To be respected by others, a nation, like a woman, must begin by respecting herself.

M. de Mofras, in view of the magnitude of French interests in Mexico, and the condition of things there, urges on his government the importance of keeping up uninterrupted diplomatic relations with the Republic, and accrediting to it representatives of distinguished character. And his idea of the description of persons to be employed, and of the mode of negociating, in Mexico, is worthy of note.

"Whatever may befall Mexico, it is desirable for our Government (France) to maintain continuous relations with that country, to preserve a market so precious for our commerce, and to have distinguished representatives to defend our interests there. This last point is all-essential, for business is not conducted in the republics of Spanish America in the same way it is in Europe. *Morgue* and violence must be carefully avoided. To write little and talk much, to be perfectly acquainted with the language of the country, to have honorable antecedents, a character serious without

pedantry, and firm without intemperance; to be able, without discarding one's dignity, to bend easily to the familiarity of Spanish manners: such is the combination of qualities indispensable in a European agent in Mexico."—*Tom.* i. p. 36.

But, says M. de Mofras, (tom. i. p. 25.) the United States have, from the start, manifested a purpose to dismember Mexico.—The only act of the American *Government*, on which such a charge can be based, (anterior to the subsisting question of the annexation of Texas to the Union) is the fact, that we have, at sundry times, and for ample consideration, sought to obtain from Mexico an amicable cession of certain portions of her territory adjoining the United States. These are provinces, which, for causes wholly independent of the United States, Mexico cannot keep; which she ruins herself in trying to keep; and which the whole power of the United States, if cordially exerted in her behalf, would not suffice to enable her to keep. And the great error, which Mexico has committed, has been, the supposing that her national honor would be wounded by her consenting to such amicable cession. How can it be dishonorable to Mexico to do that, which, in analogous circumstances, Spain has done, nay, which France has done by the hand of Napoleon in the very zenith of his glory? They ceded to us Louisiana and Florida, without deeming themselves dishonored by the act; and it has been a misplaced and unfortunate pride, which has induced Mexico to refuse to treat with us on the subject of Texas.

But the statesmen of Mexico have, unhappily, seen proper to take such a view of the subject. And what have been the consequences? We will state them in the words of M. de Mofras.

"The Congress of Texas is in favor of annexation to the United States; and it is easy to conceive how much this measure, if it be accomplished, will make worse the position of Mexico, which will thus find herself in danger of being gradually swallowed up,—at the south, by the Americans of the new State,—at the north, by those who have already attempted the conquest of New Mexico,—and at the west, by those who aim to make of Upper California another Texas.

"It is interesting to consider the successive dismemberments, which, within a few years from now, the old Spanish Viceroyalty, transformed into the Mexican Republic, will have undergone.

"It will have lost, at the south and east, Guatemala, Yucatan, Chiapas, and Tabasco; at the north and west, Texas, Cohahuila, Chihuahua, New Mexico, Sonora, and the Californias. It may be said of these provinces, as the famous Marquess of Bedmar said of the Venetian possessions on the mainland: 'That the Republic preserves them only for the want of somebody to choose to take them.'

"A column of three thousand troops, with some corvettes at hand on both seas, would suffice to subjugate the empire of Montezuma, the conquest of which would be easier now than it was in the time of Hernan Cortes."—*Tom.* i. p. 27-28.

How is Mexico to avoid this consummation? M. de Mofras conceives that she has but one possible way, and that is, *to adopt the monarchical form of government, with a foreign prince or sovereign.* He proceeds to say:

"It is not now for the first time, that the establishment of a European monarchy has been indicated as alone competent to put an end to the distractions, and extinguish the factions, which desolate this fine country. Mr. Zavala, minister of Mexico at London, in 1834, had commenced negotiations on this subject; and, towards the close of 1840, Mr. Gutierrez Estrada, one of the most honorable men in Yucatan, braving the clamors and perhaps the poniards of some madmen, had the courage to print, in the very capital, a book, in which he proposed, as the only means of safety, the re-establishment of the throne, by calling to it a foreign prince.

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"There are few respectable men in Mexico, who do not belong to the religious royalist and European party, called the *clerico-espanol* party. The miners, the proprietors, the honest merchants, the old noblesse, all the families in which still linger the Spanish virtues, sentiments of honor, of loyalty, regret the downfall of the royal government, and long in secret for its restoration. And the return of the American Republics to monarchical ideas is, certainly, a serious subject of meditation. They have exhausted themselves in the acquisition of a disastrous independence; but they have not been able to rebuild on the ruins they have made, and now find themselves embarrassed by that liberty so dearly bought. *Without speaking of the United States, where the tendencies of the loyalist party are well known*, have we not seen, so long ago as 1828, the Liberator, Bolivar, treat with our Envoys for the establishment of a French prince on the throne of Colombia? At Montevideo, the same wishes have

been expressed; and very recently a similar request was made by the Republic of New Granada.

"It will be understood, of course, so far as regards Mexico, that the profession of the Catholic religion, and relations of family with the former possessors of this country, would be the first conditions exacted of any prince, who might be invited to re-constitute a monarchical government there.

"The infantes of Spain, the French princes, the archdukes of Austria, fulfil these conditions; and we can affirm that, from whatever quarter the competitor may present himself, he would be unanimously welcomed by the Mexican populations."—*Tom.* i. p. 29-32.

The views, which M. de Mofras here expresses, have since been made familiar to all, by the discussions of the European daily press, and by the public appearance of a monarchical party in Mexico, since the accession of Paredes to power. But we apprehend he labors under gross delusion in imagining that the whole, or even a majority of the Mexican populations, stand ready to welcome a foreign power. Nor do we understand what he means by a "loyalist party" in the United States. Certain it is, that none of the inducements to long after a foreign yoke, which M. de Mofras, or anybody else, may find in Mexico, exist here; and of all impossible things in politics, the most impossible is a monarchical government in the United States. For the rest, we, on the other hand, are firmly convinced that nothing but a large foreign army,—an army of occupation,—could maintain a foreign throne in Mexico. In other words, Mexico would have to be invaded and conquered, to effect this object. We do not believe France is disposed, and we know that neither Austria nor Spain is able, to undertake the conquest of Mexico. Doubtless, the European cabinets have been led to believe, by or with M. de Mofras, that the Mexicans will themselves, voluntarily, adopt and support some foreign prince; but their persistence in the scheme will only serve to hasten the dismemberment of the Republic.

M. de Mofras then puts the question,—What are the interests of France in this matter?—To which, he replies, that the first object of the policy of France should be the establishment in Mexico of a monarchy *of whatever sort*, on a solid foundation, strong enough to give stability to the government in its foreign and domestic relations; and, secondly, if republican institutions are to continue, then *the incorporation of Mexico in the American Union*. But the sentiments of M. de Mofras on this point are so remarkable, and so worthy of attention, that we must give them in his own words:

"But, if Mexico is to preserve republican institutions, then her incorporation in the Union of the North, it seems to me, would be more advantageous to France than her actual condition, because our commercial transactions could not fail, under such a well-organized administration as that of the United States, to acquire much development. Our countrymen would thus enjoy all the guaranties of liberty, security, justice, which they have sought in vain, hitherto, from the Mexican cabinet, although our government has done everything in its power to obtain these for them, by energetic reclamations, which we hope will not be eluded much longer.

"England, besides, would lose by this order of things what France would gain. She would very soon see the sort of political sovereignty she has imposed on Mexico, and the commercial monopoly she exercises there, annihilated together. She would be enfeebled in proportion to the new force, which the absorption of this power and of Texas would afford to the United States. In fact, the latter country, whose population has already attained eighteen millions, would, by this double union, be raised to near twenty-five millions; and might, perhaps, eventually, be able to realize the eternal dream of her Presidents, in carrying her frontiers to the isthmus of Panama.

"If it ever should be so, the Union would command the Pacific Ocean, by the portion of the Territory of Oregon falling to it,—by the Californias,—and by the west coast of Mexico, of Central America and of New Granada. To the east, it would be mistress of the Atlantic, from Canada to the isthmus of Darien, and would menace, consequently, all the groups of islands situated at the entrance of the Gulf of Mexico and in the sea of the Antilles.

"These immense aggrandizements, England has long perceived the possibility and the peril of; hence, there is every reason to believe, according to recent manifestations, that she will oppose the union of Texas to the United States. In fact, she has from the beginning, undertaken a sort of patronage of that Republic. By the treaties of 1840, she obtained from it the concession of the right of search, and the assumption of a million sterling of the Mexican debt to Great Britain; and it was by the interposition of British agents, that an armistice was concluded between Mexico and Texas.

"Now, the opposition of England to the incorporation of Texas into the Union may have results the most prejudicial to the great American Confederation, because, in a few years, the population of Texas from English emigrants would greatly exceed the number of colonists from the United States; and four

or five thousand British subjects becoming lawful Texian citizens and voters, would be enough to change the majority in the elections, and influence, consequently, the action of the government of the country and its foreign policy.

"Texas having neither ships nor capital, England would thereupon have the supply of all objects of consumption, and, by an active colonization, might be able to obtain from Texas, in exchange for her manufactures, the cotton, which India is not capable of furnishing, and which she is now forced to buy of the United States.

"The non-annexation of Texas to the Union, moreover, would leave the western frontiers of the United States exposed, and, to say nothing of the enormous contraband commerce in English goods which might be conducted through Texas, the free navigation of the lower waters and of the mouths of the Mississippi would be compromised, the moment England should be seated on the Sabine, the Arkansas, and the Colorado of the East.

"As to Mexico, she would only change neighbors; and the example of Balize, in Yucatan, shows that she would be no great gainer by the change.

"England, it is to be observed, as jealous in her policy as she is tenacious in her ambition, has been raising obstacles on all sides to the aggrandizements of the United States.

"She has even taken pains to exaggerate their result, pretending that it was important to France as well to the other European powers to prevent the too great extension of the democratic element in America, because it might, sooner or later, reacting from the New World on the Old, endanger the existence of every throne.

"France, I repeat, in case monarchical institutions cannot be re-established in the Spanish Republics, would derive great advantages from their incorporation in the United States." *Tom.* i. p. 32–36.

This passage is important in many respects. And it is grateful, especially, to find, in a semi-official French publication, issued under the auspices of the present Ministers, demonstration of the utility to us, of the annexation of Texas to the United States, nay, of the utility of this to France. All M. Guizot's far-fetched objections to this great and wise measure, the whole policy of his association with England to resist it, even the very arguments he advanced in the Chambers on the subject, are here confuted in advance by the protégé of Marshal Soult.

M. de Mofras recurs to this subject in various passages of his work, which we put together for the reader's convenience.

"It is evident that at an epoch, which seems by no means remote, when the isthmus of Panamá, or the lake of Nicaragua shall have put in communication the Atlantic and Pacific Oceans, an equilibrium is to be established between the two coasts of America, situated to the north and the south of the equator. The more temperate northern regions, presenting a better climate than those of the south, cannot fail to become as populous as Peru and Chile. Besides, the northern coast affords numerous archipelagos and excellent ports; it is in many places bordered by magnificent forests abounding in timber; almost everywhere it has fertile lands, and some regions, like New Spain, possess metallic veins of immense richness. Finally, for the voyage from the coast of Africa to that of Asia and the Oceanic groups, the Marquesas, Otaiti, the Sandwich Islands, the Marian Islands, the Philippines, seem to be scattered along, on purpose to afford touching points the most favorable for navigation.

"But of all this vast extent comprised between the equator and Behring's Straits, the South of Oregon and Upper California form the part, which, by its central position, seems destined to acquire the greatest importance. This last province, especially, has long been the object of ambition to the English and the Americans. * * * Nevertheless, if England should anticipate her rival, which is not likely, there would remain to the people of the Union a route to the Pacific Ocean, which the pioneers of Texas have already traced by Santa Fe, Chihuahua, and Sonora.

"As to Mexico, in whatever manner the difference between her and France may be terminated, I repeat once more, either it is her destiny to be dismembered and absorbed by the United States, or her salvation lies in the re-establishment of a monarchy. In either case, we (the French) have everything to gain, commercially and politically, although the latter event would be more in sympathy with us, and seems to us the safer."—*Tom.* ii. p. 322–324.

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"Commodore Jones acted imprudently, perhaps, in taking possession of the town of Monterey; but, when the thing was done, he ought to have kept it, and above all, to have taken the port of San Francisco. No government in the world would have dreamed of dispossessing the United States. England alone, angry at seeing herself anticipated, might have protested, perhaps; but everybody knows that this power, haughty with those who fear her, knows how to make concessions, when she meets with adversaries who do not choose to be intimidated."*—*Tom.* i. p. 314.

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* We remark as to this, that, on the one hand, while the act of Commodore Jones was fully justifiable, under the supposed circumstances, (of Mexico having declared war against the United States,) and his

"At the present moment, the Hudson's Bay Company, sure of the support of the British Government, is pushing a line of forts towards (and into) California. They hope that the negotiations commenced a few years since by the house of Lizardi of London, as agent of Mexico for the cession of lands in payment of the English debt, and renewed very recently, may be crowned with success, and that this time it will not be in Texas or in the interior of New Mexico and Sonora, that the Mexican Government will offer lands, but rather in Upper California. * * *

"But we think the Americans have the best chance of gaining possession of California. The movement of emigration towards the far West becomes every day more and more marked, among the backsettlers or colonists of the western counties of the United States. During the last three years, many caravans have been making their way to California; and the means of resistance on the part of this province are so feeble, that there is nothing to prevent the Americans making of it, at this very moment, another Texas. * * And the melancholy *fanfaronnades*, the imprudent menaces, of the Mexican Government against the United States, on occasion of the annexation of Texas, are well calculated to hasten this event.

* * * * *

"The possession of the port of San Francisco is considered, by the Americans, of so much importance, that their government has offered that of Mexico a large sum (M. de Mofras mistakes the amount,) for the cession of that point. * * * The negotiations were actively pursued by the American Plenipotentiary; and it is probable that the offer would have been accepted by the Mexican government, which is always in straights for money, *but for the representations of England.*

* * * * *

"Men of sense in California have long been convinced that the Mexican Government, incapable of governing them, powerless to defend them, seeks only to rid itself of them by weakly selling their territory to the English or Americans; the negotiations which have become public are the proof of this fact. All these men see themselves on the point of being delivered up to an unpitying race; and the lot of our unhappy Canada, that of Spanish Florida, and of Texas, is not such as to tranquilize them.* It is to Catholic Europe, then, that they turn their eyes; for they feel deeply, that she alone can save them from the dominion of two Powers, whom they fear equally; but it is probable, that, ere long, the deluge of the population of the United States, flowing on to the West, will inundate this province with its invasion of emigrants.

"Although the Senate of the United States has rejected the treaty for the annexation of Texas, it may be taken for certain that the accomplishment of the act of union is only postponed, and that it will be passed at the next session of the American Congress. Then the fate of California will have been decided: like New Mexico, it will be absorbed by contiguity; and it is doubtful whether the English, notwithstanding the admirable force of development of their government, will be able to be beforehand with their rivals in the occupation of this fine country. For myself, it is unnecessary to add, that my political sympathies are for the Americans; and that, since California must change masters, I would decidedly rather see it in the hands of the United States than in those of England.

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"For the rest, it is plain to me, that California will belong to any nation whatever, which shall send there a corvette and two hundred men; and we cannot but applaud the patriotic conduct of the English and American governments, in seeking to make sure in advance of the important points on the Pacific Ocean.

"New Spain tends to complete dissolution, the inevitable consequence of her separation from the Mother Country. It is the destiny of this country to be conquered, unless it takes shelter under the protection of a European monarchy, which is its only means of salvation. This means is, it seems to me, that which France ought to prefer; but, for the rest, I think I have proved that the actual condition of Mexico is so ruinous to our interests, that we should have much to gain, commercially and politically, by her absorption in the United States."—*Tom.* ii. p. 61–71.

For ourselves, we are free to say, that we do not desire to witness the extinction of Mexico. We should prefer to see her live and flourish, in the only

gallantry would in that case have proved eminently beneficial to his country, (as indeed we have some reason to think it did after all, in defeating a plan against Monterey entertained by England,)—on the other hand, the prompt restoration of Monterey, in view of the many injuries for which Mexico owed us indemnity, was one of a hundred proofs of the moderation and forbearance we have always manifested towards that Republic.

* M. de Mofras certainly does injustice to the United States in this remark. Louisiana, Florida, and Texas have all gained infinitely by their transfer to the United States. And the immense voluntary emigration of Catholic Irish and Germans to this country shows that they have nothing to fear on the score of religion. Indeed, it is only in this country that Catholicism, strong in the strength of perfect freedom, enjoys advantages of which it is deprived in many of the Catholic states of Europe.

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way it is possible for her to continue to live at all, that is, in close amity with the United States. Notwithstanding the many injuries which her Government has done, or suffered to be done, to the Government and the citizens of the United States—notwithstanding this, we should deplore to see her pass away, like an extinguished planet, from the glorious firmament of independent states. But, in repulsing all the amicable advances of the United States, and at length commencing war against us, she has dared the worst; and the result may be, that which M. de Mofras anticipates, the complete dissolution and extinction of the Mexican Republic. In relying, as Mexico does, on the intervention of England and France in her behalf, in case of war between us, she reckons on what is morally and politically impossible. Offer to *mediate* between us, they might; but to intervene by force, never. England has *annexations* of her own to care for in Asia, and France in Africa; and, if a game of interference were to be played all around, they would soon discover there was something to lose on both sides. And if they should interfere by force between us and Mexico, that interference would be the signal of a general war, calamitous to us undoubtedly, but still more so to them, and to the House of Orleans in the first place; for it would be that "war of opinion," which Canning long ago predicted, shaking to their foundations the unstable thrones of Europe. For Mexico, for France, for England, the wisest and the best thing to be done, is to resume and to maintain the *feelings*, as well as the relations of amity with the United States.

Thus far, we have exhibited and commented on those parts of the work of M. de Mofras, which are of a political character, and relate to Mexico at large. We now proceed to those parts of it, which concern California especially, (with Oregon.)

M. de Mofras gives, in the body of his work, a minute, and apparently exact and authentic, account of all the principal ports on the west coast of Mexico. These are accompanied, in his Atlas, by plans and soundings, calculated to be extremely useful to the United States at the present time.

The same remark may be made in regard to *military* matters, such as fortifications, organization and distribution of forces, and the like, along the whole coast, both on the Pacific and the Gulf of Cortes, from Tehuantepec to San Francisco: upon the whole of which M. de Mofras furnishes many precious details, which, like his plans of the ports, are the more valuable, in consideration of the extreme imperfection and erroneousness of the English charts of the Mexican and Californian coast, and the scattered sailing directions, which alone, heretofore, have been accessible for the service of our Navy.

His account of the population of Upper California, in 1842, is curious, as manifesting the slow progress of the Mexicans in that direction. The whole population at that time, (exclusive of Indians) was only 5,000, distributed thus:

| | |
|---|---|
| Californians descended from Spaniards | 4,000 |
| Americans from the United States | 360 |
| English, Scotch, and Irish | 300 |
| European Spaniards | 80 |
| French (including Canadians) | 80 |
| Germans, Italians, Portuguese, Sandwich-Islanders, and others | 90 |
| Mexican colonists | 90 |
| Total, | 5,000 |

To these were to be added, at that time, 300 convicts and soldiers who had just arrived with Gen'l. Micheltorena.

Of the foreigners, the Americans were particularly concentrated at Los Angeles and Branciforte, the English and Spaniards at Santa Barbara and Monterey, and the French at Los Angeles and Monterey.

Among the English and Americans were many discharged or runaway seamen; but the bulk of the latter consisted of emigrants from the West, the number of whom must have increased greatly in the last few years.

This population was distributed as follows:

| | |
|---|---|
| District of San Diego | 1,300 |
| Do of Santa Barbara | 800 |
| Do of Monterey | 1,000 |
| Do of San Francisco | 800 |
| Scattered over the country among the Missions | 1,100 |
| Total, spread over a territory of about 2,000 square leagues | 5,000 |

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Next to the establishments or factories of the Hudson's Bay Company and of the Russo-American Fur Company, in California, the most important foreign establishment is that of New Helvetia, near the mouth of the Sacramento, founded by Captain Sutter, a retired officer in the Swiss Guards of Charles X.

Of imports and exports, M. de Mofras gives the following table:

| | | | |
|---|---|---|---|
| Imports under the flag of Mexico | | | $50,000 |
| Do | do | United States | 70,000 |
| Do | do | England | 20,000 |
| Do | do | Miscellaneous | 10,000 |
| Total yearly value | | | $150,000 |
| Exports under the flag of Mexico | | | $65,000 |
| Do | do | United States | 150,000 |
| Do | do | England | 45,000 |
| Do | do | Miscellaneous | 20,000 |
| | | | $280,000 |

| | |
|---|---|
| The articles of exports were, | |
| Hides, valued at | $210,000 |
| Tallow, do | 55,000 |
| Peltries, wood and other articles | 15,000 |
| | $280,000 |

It must not be supposed that the amount of imports and exports under the flag of Mexico represents *Mexican* vessels. The Mexicans do not appear to have much aptitude for foreign commerce, and none for a seafaring life; for, of eleven vessels trading to or from Upper California in 1841, under the flag of Mexico, only one, and that a schooner of 86 tons, in the service of the Californian Government, was Mexican property; all the rest belonging to Spaniards, Americans, Englishmen and Frenchmen doing business in Mexico. On the whole extent of her Pacific coast, at that time, Mexico had no government armed vessels, except three small revenue-cutters.

In running over the history of exploration and discovery on the Western coast of North America, M. de Mofras has frequent occasion to notice the disingenuous practice of the English navigators and geographers, in substituting English for pre-existing Spanish names of places, and thus giving semblance or color of prior discovery to England. We translate some examples of this.

"Drake had no knowledge of these two ports (San Francisco and Bodega,) and, though he arrived in California thirty-seven years after Cabrillo, the English have dared to give to the whole country the name of New Albion, seeking thus to attribute to themselves the honor of the discovery."—*Tom.* i. p. 98.

* * * * * *

"One of the lieutenants of Vizcaino, Martin de Aguilar, advanced as far as the 43rd degree, and gave its name to Cape Blanco, for which Captain Cook made no scruple of substituting afterwards the name of Cape Gregory, just as Vancouver gave the English name of Oxford to Cape Diligencias, discovered a long time before him by Vizcaino."—*Tom.* i, p. 101. * * *

"The Spaniards called this the *Canal of Rosario*; but Vancouver took care to change this name to that of Gulf of Georgia, according to the detestable custom of British navigators, who never fail to substitute English names for those previously given by discoverers belonging to other nations.—*Tom.* ii. p. 138.

* * * * * *

"The port of Nootka was discovered, in 1774, by the frigate Santiago, commanded by Don Juan Perez. Captain Cook, who visited this point four years later, did not fail to impose on it an English name, and to call it King George's Sound, although he knew from the Indians that the Spaniards had explored it before him," &c.—*Tom.* ii. p. 143.

* * * * * *

"The name of this island (Quadra and Vancouver) was given to it, by agreement of the two commandants, Spanish and English: still it is proper to observe that Vancouver did not arrive at Nootka until 1792, that is, seventeen years after Don Juan de la Bodega y Quadra, who had already explored the northwest coast, and given his name to the port of Bodega, in California."—*Tom.* ii. p. 145.

* * * * * *

"England pretends to derive claims from that, according to her, Sir Francis Drake had discovered New California, which her geographers presume to call New Albion; but I have already proved, in my historical sketch, that the English pirate* did not arrive on this

* English journals find fault with the application of the term *pirate* to Drake in some American publications. Yet we see that M. de Mofras uses the same term. And the propriety of it is undeniable.—Drake, as his own biographers avow, "went only with design to plunder the Spaniards." To do this, in time of peace, and without commission, is manifest piracy. Nay, in Drake's case, it was that worst form of piracy called buccaneering; because, besides plundering at sea, he landed in Spanish America, and subjected the peaceful inhabitants to massacre, conflagration, and ravage. Under the impulse of religious bigotry and maritime cupidity combined, the English, at that time, appear to have become blinded to the atrocity of their conduct towards the Spaniards.

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coast until 1579, and consequently thirty-seven years after Cabrillo and Ferrelo," &c.—*Tom.* ii. p. 250.

In further illustration of the same thing, we add, in passing, that an English naval officer of the name of Hardy, who came to Mexico as agent of an English Pearl Company, a few years ago, assumes, in a work he has published, to be the first explorer of the mouth of the Colorado of the West, and of course gives new names to the Islas de los Tres Reyes, and other points in that region, familiarly known to the Spaniards ever since the time of Cortes.

M. de Mofras bears witness, in strong language, to the excellence of the climate, and the agricultural and commercial capabilities, of California. We collect a number of detached passages on this point.

"The salubrity of the country is such, that the diseases of the inhabitants are always independent of climate-influences."—*Tom.* ii. p. 24.

* * * * * *

"The topography (behind the bays of San Francisco and La Bodega) is that of all the rest of California: a chain of hills runs parallel to the coast, and in the rear, towards the east, are fine prairies, on which feed herds of deer and of neat cattle. These plains are very fertile, and are watered by little streams:—the hills are wooded."—*Tom.* ii. p. 11.

* * * * * *

"The whole country situated between the coast of California and the Sierra Nevada is * * * of admirable fertility, and perfectly proper for colonization."—*Tom.* ii. p. 40.

* * * *

"The soil is often, in the valleys, two *mètres* deep: the superior *strata* are formed in part of organic *detritus*, and are of course extremely fertile. * * The soil is never naked, grass covers it through the whole year. The gramineous plants attain the height of eight or ten feet, and the trees of California, if not the largest, are at any rate the tallest, on the globe.

"The seasons follow the same course as in (southern) Europe, and the year is divided into two well-marked parts: the season of rains, which begins in October and ends in March, and the dry season, which embraces the remaining six months of spring and summer.* * *

"Once only since the colonization of the country has snow been known to fall in the plains. * * The summits of the Californian mountains, which have only ten or twelve hundred *mètres* of absolute height, hardly keep for a few days the snow which they receive. * * *

"Upper California, from San Diego to La Bodega, along an extent of coast of two hundred leagues, * * * enjoys a temperature analogous to that of Valencia, (in Spain) and the finest regions of the Mediterranean.

"It is to be observed that the temperature is milder than that of points situated in the same latitude on the east coast of North America," &c.—*Tom.* ii, 46-48.

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"To resume, Upper California is on the whole admirably fitted for colonization. * * This province presents the greatest facilities for raising cattle, for cultivating cereal plants, and for the grape: it might contain twenty million of inhabitants; * * * and its ports are a point of necessary communication for vessels going from China and Asia to the western coasts of North America.

"It is beyond doubt, that so soon as an intelligent and laborious population is established there, this country will occupy an elevated rank in the commercial scale: it would form the *entrepôt* where the coasts of the Great Ocean would send their products, and would furnish the greatest part of their subsistence in grains to the North-West, to Mexico, to Central America, to Ecuador, to Peru, to the north coast of Asia, and to many groups of Polynesia, such as the Sandwich Isles, the Marquesas, and Taiti." * * *—*Tom.* ii. p. 58.

As to harbors, M. de Mofras says truly, that the port of San Francisco, one of the finest in the world, is the key of the north-west coast of America, and of all the North Pacific. In connection with which, though we do not intend in this article to examine those parts of M. de Mofras' book which relate to Oregon, yet we extract some passages touching the harbors of that country.

"It is indispensable to observe, * * * that, from the port of San Francisco to the mouth of the Columbia, the coast, although very safe, does not afford a single point where ships can find complete shelter in all seasons, and that its different anchorages are not tenable except in the summer and in very good weather."—*Tom.* ii. p. 105.

* * * * *

"The anchorage, which this bay (Puget's) offers, is the first one above the port of San Francisco, where ships may be perfectly secure; and it is the point, to the preservation of which all the efforts of the Hudson's Bay Company, in the negotiations between the British Government and that of the United States, tend."—*Tom.* ii. p. 134.

Returning to the subject of California, it is impossible not to dwell with pleasure on the picture, which M. de Mofras gives, of the zeal, self-denial, piety, and successful benevolence of the Catholic Missionaries, who founded the

celebrated Missions, with which the settlement of the country began, and under which it so long prospered, but which have fallen into dilapidation in the hands of the anarchial and ephemeral governments of Mexico. M. de Mofras indignantly condemns the narrow intolerance of spirit, which colors the views of Captain Beechy and Mr. Forbes, when they speak of these Missions. And, in confirmation of what M. de Mofras states, we are tempted to oppose to the authority of Captain Beechey the testimony of his countryman, Sir Woodbine Parish:

"To the eastward of Corrientes are the depopulated ruins, all that remain, of the once famed Missions of the Jesuits, the greater part of which were situated on the shores of the Parana and Uruguay, where the courses of those rivers nearly meet.

"When the Order was expelled from South America in 1767, there were a hundred thousand inhabitants in the thirty towns in those parts under their control. In those situated east of the Parana, not a thousand souls remained in 1825. * * The other towns beyond the Parana * * have fared little better under Dr. Francia.

"This was that *imperium in imperio*, which once excited the astonishment of the world and the jealousy of princes. How little cause they had to be alarmed by it, was best proved by the whole fabric falling to pieces on the removal of a few old priests. A more inoffensive community never existed.

"It was an experiment on a vast scale, originated in the purest spirit of Christianity, to domesticate and render useful hordes of savages, who would otherwise, like the rest of the aborigines, have been miserably exterminated in war or slavery by the conquerors of the land. Its remarkable success excited envy and jealousy, and caused a thousand idle tales to be circulated as to the political views of the Jesuits in founding such establishments, which unfortunately gained too easy credence in a credulous age, and contributed, there is no doubt, to hasten the downfall of their order.

"Their real crime, if crime it was, was the possession of that moral power and influence which was the natural consequence of their surpassing knowledge and wisdom in the times in which they lived.

* * * * *

"If we look at the good they did, rather than the evil which they did not, we shall find that, in the course of about a century and a half, upwards of a million of Indians were made Christians by them, and taught to be happy and contented under the mild and peaceful rule of their enlightened and admirable pastors,—a blessed lot compared with the savage condition of the unreclaimed tribes around them."—*Parish, Buenos Ayres, &c.*, p. 217-225.

What is said by Sir Woodbine Parish of the Missions of Paraguay, is said by M. de Mofras, in more detail, of the corresponding Missions of California; and in both cases, we doubt not, with perfect truth.

We stop here, for the present: proposing, in another article, to review that portion of M. de Mofras' work which relates to Oregon more especially,—all which is replete with interest,—and to examine the singular theory he has put forth, that Oregon belongs of right, neither to the United States nor England, but to France.

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# BRAZIL.*

These volumes, during the year which has elapsed since their publication, have passed through three editions in this country, and have been very favorably received by the British critics. Mr. Kidder, their author, went out to Brazil from the United States, in the service of the Church, and remained there some two or three years in the prosecution of his benevolent mission. His chief attention, from the nature of his official duties, was directed to subjects connected with education and morals; and a considerable portion of his work is taken up with a narrative of his travels, labors and success as a missionary, and with a delineation of the religious state of the country. But having spent considerable time in each of the maritime cities and provinces, he necessarily became acquainted to a greater or less extent with the history of the country and the political and social condition of the people; and the knowledge thus gleaned he has so blended with the personal narrative of his travels, as to make his volumes full of instruction as well as entertainment, and to give his readers more accurate information in regard to the country, than can elsewhere be found in the same compass in the English language.

It is a curious fact, that our acquaintance with this vast empire, located in our own hemisphere, and growing up, as it were, by our side, is much more limited than with the civilized nations of the old world. Among English writers it appears to have attracted little attention; and the books respecting it are scarce and mostly locked up in libraries, to which the great body of the people have no access, while, in our own country, the work before us is the only book exclusively relating to Brazil which has issued from the press.

Besides, the authorities which the public are most likely to consult for information, are in themselves extremely defective. Even M'Culloch has fallen into very gross errors, enumerating no less than three provinces which are not in the empire, and omitting two which actually have an existence. He also speaks of "numerous large rivers" which connect the fine bays and harbors of the coast with the rich interior, while in fact, no such rivers have an existence; and he gives the most erroneous impressions of the face of the country and the soil. In the great and valuable work of Captain Wilkes, published by order of Congress, the author has been scarcely more fortunate. Names of provinces have been misspelled, the character of the population is misrepresented, the objects of principal interest are unnoticed—and the chief maritime city, the residence of the king and court, and the great commercial mart of southern America, is spoken of as "San Salvador, better known as Rio de Janeiro;" whereas San Salvador is in fact the old name of Bahia, a city some eight hundred miles distant.

These gross blunders in works which are looked to as standards of authority, show how little attention this great empire has commanded, and the want of further information in regard to it. The volumes of Mr. Kidder have, therefore, appeared very opportunely, and we are happy in being able to say that they bear evidence of having been prepared with such accuracy and care, as to make them worthy of reliance for the fidelity of their statements; and that they have, beside, the endorsement of the Brazilian Minister at Washington, the Chevalier G. de Lisboa, that the author "has narrated in a correct and impartial manner whatever he met with in his travels worthy of observation, duly appreciating the real excellencies of Brazil, and being sufficiently lenient towards various things that need yet to be improved and corrected, in a country that has numbered only twenty-two years since its political emancipation."

* Sketches of Residence and Travels in Brazil; Embracing Historical and Geographical Notices of the Empire and its several Provinces. By Rev. Daniel P. Kidder, A. M. In two volumes, with Illustrations. Philadelphia: Sorin & Ball. London: Wiley & Putnam. 1845.

Brazil is, however, a country which cannot long be disregarded by the civilized world. It not only embraces an area of about three millions of square miles, being nearly equal to the whole of Europe, but it contains in its bosom the most exhaustless resources of vegetable and mineral wealth, and is rapidly advancing in political and commercial importance. Extending through the whole latitude of the southern torrid, and ten degrees of the southern temperate zones, and stretching in longitude from Cape St. Augustine, on the Atlantic, to the foot of the Andes, within a few hundred miles of the Pacific, it has an agreeable diversity of soil and climate, and its hills and vallies are drained throughout the vast interior by a cordon of magnificent rivers, which mostly pour their waters through the mighty Amazon to the ocean.

The greater portion of this vast and fertile region is still in the wildness and grandeur of its native solitudes, unoccupied by civilized man, and much of it unexplored. The population is chiefly on the coast, and does not, according to Mr. Kidder's information, much exceed five millions, nearly one-half of whom are slaves. The population is quite too sparse to develope the resources of such a country: nevertheless Brazil at present shows a fair amount of commercial activity.

Bound in the chains of colonial servitude for so many years—we might say centuries—her progress in commerce and the arts has been exceedingly slow; but since she has been emancipated and has assumed her place among the nations, a very gratifying change has taken place. In 1821, the year prior to the adoption of the Brazilian constitution, her exports to the United States amounted to little more than half a million of dollars. For the year ending with July, 1845, they have been between six and seven millions. She has become one of the greatest coffee growing countries in the world, and nearly two thirds of all our imports of that article now come to us from Brazil. The amount received during the last year was over 78 millions of pounds. She also sends us large quantities of hides, sugar, and other articles.

Prior to the events of 1808, the policy of Portugal towards Brazil was exceedingly narrow and selfish. All commerce between her and foreign nations was rigidly prohibited; and although vessels belonging to those countries, which were in friendly alliance with Portugal, were permitted to come to anchor in the ports of the colony, neither passengers nor crew were allowed to land save under a guard of soldiers, and the vessel was put in charge of a custom-house guard, and the time of her stay limited by authority.

Under these oppressive regulations, a people rich in gold, diamonds, and an endless variety of vegetable products, were often unable to procure the essential implements of agriculture, or the ordinary conveniences of domestic life. It was not uncommon for tables loaded with plate to be almost destitute of knives and forks, and for a drinking vessel of glass to take repeated circuits through the company, in disbursing the rich wines of the parent country.

But the time of Brazilian emancipation at length arrived; and what is curious, the attempt of the crowned heads of Europe to crush republican France, was probably the remote cause. Their efforts, at first successful, were followed by a powerful reaction. The storm which they had raised called into exercise the energy and genius of Napoleon—the legions of France under his lead became victorious—the tempest of war swept back over Europe like a flood, and in its course, fell on the sluggish Portuguese. In 1807, Junot entered the devoted kingdom at the head of an army accustomed to conquest, and on the 27th of November surmounted the heights of Lisbon.

The royal family soon discovered that all was lost; and in the choice of evils presented before them, resolved on flying to America. On the following day Junot entered the city in triumph, but the Prince Regent and the regal household had made their way to the fleet at the mouth of the Tagus, and were already bearing away for Brazil.

The news of these extraordinary events preceded the fleet, reaching America early in January, 1808, and causing a great sensation wherever it was carried. The Viceroy's palace, at Rio, was immediately put in order for the reception of the royal household; the offices on palace square were vacated, and the people awaited the arrival of the distinguished retinue with

the highest anticipations. The intervention of a storm, however, delayed the fleet, and caused it to put into Bahia. Here the people were overjoyed at the appearance of their Prince among them, and with unaffected earnestness besought him to remain and establish his court in their city: but the difficulty of effectually fortifying the harbor was a sufficient reason for declining their generous and pressing invitation. But he did what was better —he communicated to the governor the *carta regia* by which the ports of Brazil were thrown open to the world. The days of her bitterest bondage were passed.

South America was discovered by the Portuguese, in the days of Columbus; and in 1530 the unexplored territory of Brazil was parcelled out into captaincies by the king, and bestowed on certain favorites, who, in due course of time, set about planting colonies, the first of which was at San Vincente, below Rio de Janeiro. In the course of a few years these feeble colonies were strengthened by large numbers of banished Jews, who, having been plundered by the Inquisition without giving any proper signs of repentance, or of love towards the "Holy Church," were sent out to Brazil for the double purpose of punishing their infidelity, and of mending their morals. No less than four hundred of these obstinate and hopeless heretics were attached to the first principal expedition to San Salvador, in 1549; and, together with six priests, three hundred colonists and a Governor-General, they planted the germs of the present city of Bahia, which, three years after, was honored with the appointment of a bishop, being the first church dignitary of so high an order in this portion of the New World.

Meantime the French were not indisposed to share in the spoils of this luxurious region; and as the disciples of Luther were just now particularly troublesome, the government thought to turn them to the same account as the Portuguese had done the Jews. Accordingly Villegagnon, a man of talents and distinction, proposed to found an asylum in Brazil for persecuted Protestants, and collecting a number of followers, in 1555, entered the beautiful bay of Netherohy, which being then regarded as the mouth of a river, and having been discovered on the first of January, had obtained the name of Rio de Janeiro, or the River of January. Here he built a fort, which still bears his name, and soon assembled around him the elements of a flourishing colony.

The object of the French politicians was to secure the country for the crown; but the majority of those who engaged in the enterprise, had only in view the peaceful enjoyment of their religious opinions and the founding of an empire of liberty, where their posterity could be secure against the persecutions of the priesthood, and where the Reformation might take deep root, and fill the south as well as the north with the votaries of a more spiritual religion.

These were motives which strongly addressed themselves to the Church at Geneva, and they consequently interested themselves in the project, and, to the next expedition, contributed two ministers and fourteen students, who hesitated not "to brave the hardships of an unknown climate and of a new mode of life" in so good a cause. But although a large company were collected, misfortune attended every step of the enterprise. They had a long voyage; the Catholic population rose against them at Harfleur, and struck down one of their best officers; they suffered greatly by storms; had a conflict with the Portuguese on the Brazilian coast, and, to crown their disasters, were met with bitter persecution by Villegagnon, who, having returned to the "true faith," sought to evince the sincerity of his conversion by the grossest outrages towards his Protestant friends, who were, at length, driven back to their father-land, in penury, mortification and disgrace.

The colony was soon after attacked by the Portuguese from Bahia and San Vincente, and a war was kept up for several years, which finally ended in the overthrow of the French, and their total expulsion, which occurred on St. Sebastian's day, January 20, 1567. The Portuguese governor immediately traced out a new city, which he named St. Sebastian, in honor of the saint under whose patronage the field was won, and set the Indians to work in building fortifications. Since that time the city has been in the possession of

the Portuguese, and has continued to grow in prosperity and importance, till it has attained a population of near 200,000 souls, and is the chief maritime port in southern America.

Rio de Janeiro, like few cities, is at once the commercial emporium and the political capital of its nation. It stands," says Mr. Kidder, "just within the borders of the southern torrid zone, and its harbor opens by a bold and narrow passage, between two granite mountains, into the wide-rolling Atlantic. Its entrance is so safe to the navigator as to render the guidance of a pilot unnecessary. So commanding, however, is the position of various fortresses at the mouth of that harbor, and upon its islands and heights, that if properly constructed and efficiently manned, they might defy the hostile ingress of the proudest navies of the globe."

Here, quietly retired within a circle of mountains, lies this busy and populous city, on the margin of its magnificent harbor, which has been most appropriately named Netherohy, or the *hidden water*, where, concealed from the wing of the tempest, "the wanderer of the seas may moor his bark upon a sure anchorage, within hearing of the ocean surf, but safe from its agitation."

The city of Rio, to the eye of the stranger, presents a novel aspect. We look in vain for the even grades—the compact streets—the tall chimneys, and the dingy roofs of the more crowded marts of the northern hemisphere.

"The surface of the town is diversified by several ranges of hills, which shoot off in irregular spurs from the neighboring mountains, leaving between them flat intervals of greater or less width. Along the bases of these hills, and up their sides, stand rows of buildings, whose whitened walls and red-tiled roofs are in happy contrast with the deep green of the foliage that always surrounds and often emborders them."

The city is adorned with several squares or commons, the principal of which, the *Passeio Publico*, or public promenade, lies open to the regular seabreezes, and is a place of great attraction and beauty. Water is brought from the adjacent mountains, and jets are met with in every direction, pouring showers of cooling spray into the atmosphere, while they furnish to the inhabitants pure and running water for household purposes.

For many years Bahia was the residence of the Viceroys and Governors-General, but the growing importance of Rio de Janeiro, and especially its superior advantages for defence, led to the removal of the court thither in the year 1763; since which time many public buildings have been erected, and the place has been so thoroughly embellished by turrets and towers, and public places, as to be not inappropriately denominated the city of palaces.

On the arrival of the royal family in 1808, a sudden and extraordinary impulse was given to this interesting city. A public newspaper, hitherto unknown in Brazil, was immediately established.* Academies of medicine, arts and letters were instituted—the royal library, brought over with the Prince, was opened for the free use of the public; the diplomatic agents of the principal nations of Europe and America took up their residence there; and it was frequented by foreigners of learning and distinction.

The change also extended, in a greater or less degree, throughout the country. The population increased and spread towards the interior; new towns sprang into existence, and the old ones received a fresh impulse; the people, from the restraints and seclusion of non-intercourse, emerged into the elegancies of court festivals, levees and gala days; their manners were improved; they imbibed new ideas and modes of life; and these, spreading from circle to circle, and from town to town, originated higher aspirations, and Brazil, no longer a feeble colony, assumed the tone and dignity of a state, and in 1815 was formally declared a kingdom, and an integral part of the United Kingdom of Portugal, Algarves, and Brazil.

A short time after this event Queen Donna Maria, who had long been in a state of mental imbecility, died, and the crown devolved on the Prince Regent, whose coronation, under the title of Don John VI., was celebrated with

* The city now issues, according to Mr. Kidder, four daily papers, two tri-weeklies and eight or ten weeklies, besides a Medical Review and a Brazilian and Foreign Quarterly. The other cities of the Empire also issue a variety of periodical publications.

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unusual rejoicings. He was not, however, very successful in winning the hearts of his Brazilian subjects. Jealousies arose between them and the retinue of Portuguese nobility who had followed him to America, which made the latter part of his career in the new world exceedingly turbulent and full of annoyances, so that, on the adoption of the new constitution by the Cortes, he resolved to leave the fairest and most interesting portion of his dominions and return to Lisbon. He accordingly embarked with his family and the principal nobility on the 24th of April, 1821, leaving his son and heir, Don Pedro, Regent and Lieutenant of the Kingdom of Brazil.

Don Pedro was only 23 years old, and having left Portugal in his boyhood, his warmest aspirations were associated with Brazil. He had, however, married a Princess of the House of Austria, the Archduchess Leopoldina, sister to the second wife of Napoleon; and his position soon made him an object of jealousy to the Cortes of Portugal, who passed a decree abolishing the royal tribunals at Rio, and ordering the Prince to return to Europe.

But Brazil had become too strong for the fetters which had been forged for her by the parent country. The decree was received with the highest indignation by the people, who began to suspect a revival of the former policy of Portugal. They were deeply moved, and rallying around the Prince, earnestly besought him to disregard the order, and to remain with his people in Brazil. These importunities were so strongly seconded by the inclinations of the Prince, that his consent was readily obtained. It was, however, the signal of disturbance. The ultra loyalists thought they saw in it the germs of future rebellion, and they instigated the Portuguese troops to disregard the authority of the Prince. They accordingly left their quarters on the evening of Jan. 11, 1822, and, fully armed for conflict, assembled, to the number of two thousand, on the Castello Hill, which commands the city, prepared to oppose this movement of the people.

During the night intelligence respecting their intentions was circulated, and before the following dawn the Campo de Santa Anna bristled with bayonets. The citizens had armed for a deadly conflict, and had assembled in overwhelming numbers to sustain the authority of the Prince. A conflict for a short time seemed inevitable; but the people were so numerous and resolute as to overawe the troops, who finally agreed to withdraw to Praya Grande, a village on the opposite side of the bay, and thence embark for Lisbon.

Although the people had no intention at this time of separating from the parent country, yet the step which they had taken led directly to that result. The Prince was repeatedly solicited to cast off all dependence on the crown of Portugal and assent to be proclaimed sole Emperor of Brazil. This he steadily declined to do until irritated by some dispatches from the mother country, while sojourning in the province of San Paulo. On reading them he passionately exclaimed: *Independencia ou Morte!* (Liberty or death.) The exclamation was eagerly caught and reiterated by those around him, and became the watch-word of revolution. The people of Rio echoed it with the warmest enthusiasm; and on the 12th of October, 1822, in the Campo de Santa Anna, he was proclaimed, in the presence of the municipal authorities, the functionaries of the court, the troops, and an immense concourse of people, EMPEROR, AND PERPETUAL DEFENDER OF BRAZIL.

The revolution was almost bloodless. Portugal, weakened by her own internal difficulties, made no persevering efforts to regain her lost ascendency. She contented herself with vaporing forth a few absurd decrees and high-sounding proclamations. Her dominion was maintained for a while at Bahia, and a few other ports where Portuguese troops were quartered; but these places, after brief local conflicts, fell quietly under the dominion of the Emperor; and, in less than three years, the court of Lisbon publicly acknowledged the independence of her revolted colony.

(To be Continued.)

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# THE FAVORITE.

(Concluded.)

On the following morning Lauzun stood again in the presence of his king, by whom he was graciously received, and, as soon as the first embarrassment was over, treated in a manner that unequivocally evinced how much his majesty desired to compensate him for all he had suffered. That the whole court should follow the royal example was a matter of course; friends and enemies pressed forward to congratulate the re-established favorite, and even Madame Montespan seemed either to have forgotten her former injury, or considered him sufficiently punished to deserve forgiveness. Lauzun received all these demonstrations with indifference; his whole soul was absorbed in the idea of again meeting the Princess de Montpensier;—and the unspeakable graciousness with which she constantly drew him more and more within her charmed circle, often banished both the king and the world from his mind.

One morning as, according to custom, he called to pay his respects to the princess, he found her alone in her boudoir. Her glance greeted him with an entirely unusual expression of confusion or embarrassment. It seemed as if a burthen of sorrow weighed upon her heart, which she desired to lighten by sharing, without being able to summon sufficient resolution for the purpose. Her apparent perplexity seized also upon the count; already was he on the point of respectfully retiring to the ante-room, when the princess motioned him to approach her.

"You are the friend of the king," she began, after some hesitation, deeply blushing, and in a scarcely audible voice,—"you often sustain him with your counsel. I also have need of such a friend;—will you be that friend to me?" Count Lauzun answered only by a low bow, with his hand upon his heart.

"I am heartily tired of the life I lead," continued the princess, with recovered animation—"I am tired of this objectless activity in an everlasting sameness that can offer me nothing new, nothing interesting. And I also hate the constantly conflicting plans of those who incessantly beset me for the possession of myself, or rather of my wealth and titles, for the promotion of their own interested and ambitious views. Thus stands it with me within the circle of my own family; without that circle the daily solicitations for my hand becomes insufferably wearisome. I already stand too high to need the aid of a foreign prince to raise me still higher. What can be offered me that I do not already possess? What can the first throne in Europe offer to compensate me for the desertion of my own fair native land, which insures to me all that a mortal can desire?—power, rank, respect, and wealth." The princess paused to give the count an opportunity to answer; but as the latter continued silent, she again resumed—"I am firmly resolved to be happy, if possible, in my native land, by blessing a being who loves me, and whose love I may return. I will marry Count Lauzun, and will choose my husband among the exalted noblemen of my country—among the true servants of my royal relative and master."

Lauzun felt the imperative necessity of replying to the princess; yet, deserted by his usual presence of mind, he could scarcely stammer out a few unconnected and almost unintelligible words. Happily the princess was, herself, too much agitated to notice his embarrassment; she was visibly struggling for the attainment of sufficient self-possession to continue her remarks.

"I am satisfied," she at length continued, "that I cannot have done amiss in consulting, upon this most important affair of my whole life, with the friend and adviser of him who is also my nearest and dearest friend." "And the king?" at length ejaculated Lauzun, with a painful effort. "He knows and approves of my resolution, as well as



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of the reasons which have induced it," was the answer; "but he declines guiding my choice; and how hard it is, alone, to select the worthiest among so many who are worthy! Yet why should I desire to deceive you?" she added, with downcast eyes, after a moment's silence,—"my choice, count, I believe, is made, and yet I trust my heart—I would say my penetration—too little—I desire the confirmation—I wish—It is you, Lauzun, you, whom I have chosen—to counsel and guide me; to you I breathe the name never yet utterred even to the king."

She ceased speaking, her face suffused with blushes, while that of Lauzun was deadly pale. "Oh no, no!" he cried, sinking upon his knees in the humblest posture,—"in mercy do not tell me the name of the fortunate one. How is it possible for me to decide?" he continued, with difficulty commanding himself,—"should I venture so far, and my decision should have the misfortune to displease your royal highness——"

"This want of courage does not become you, Count Lauzun, and you are not as frank towards me as my full reliance on you deserves," replied the princess, with some haughtiness. "Who can feel more deeply than myself the honor of this gracious confidence?" answered Lauzun; "still not the less deeply do I feel how difficult it is to prove myself worthy of it."

"You know not how much you lose by this evasion," said the princess, as, turning from him, she arose from her seat, and approached the open door of the room in which her ladies were whiling away the hours in sparkling conversation with some of the lords of the court. Lauzun followed her, scarcely knowing what he did, his visible agitation did not fail to increase the universal attention which his long tête-a-tête with the princess had already excited; but he was too much occupied with his own feelings to observe it, and as soon as possible withdrew from the brilliant circle, that he might, in solitude, meditate over what had passed.

For a long time he vainly endeavored to control the wishes, hopes, and fears which arose in his bosom. He was at first alarmed by the thought that he might, perhaps, through his own fault, become an object of scorn to the noble lady; but this idea was soon rejected as unworthy of himself and her; this was succeeded by the fear that by his weakness and timidity he had trifled with her confidence; and thus he hovered long between happiness and misery, until, at last, he resolved to free himself from such tormenting uncertainty at any price, and to obtain, by entreaties and promises of perfect sincerity, an explanation from the princess.

He was not able to approach her until late in the evening. It was at a fancy ball at which the king, with some of his officers, appeared as Acadian shepherds. In their stiff garments of gold brocade, embroidered with precious stones, with crooks of gold in their hands, their long flowing hair well covered with powder and pomatum, they would have made rather a ridiculous figure in our day, but seemed appropriate enough to the perverted taste of that age. Anna de Montpensier, in the costume of the country, not less richly but more tastefully arrayed than the ideal shepherds, excited universal admiration. The provincial dress gave an unusually charming softness to her appearance, which somewhat encouraged the count as he approached her.

"May a penitent dare hope to obtain what a few hours ago he blindly cast from him?" he whispered to her.

"Beware of the wolves, my gentle shepherd; do not forget your usual watchfulness and caution," was the half-earnest, half-playful reply.

"I fear nothing," answered Lauzun, "for, thanks to myself, I have nothing more to lose; but, oh, my princess!" he added, in a sad, beseeching tone, "permit me now to drop this assumed character—I do not feel able to susain it.—Did you but know what I have suffered since this morning! did you but know my repentance, my ardent desire to devote my whole life to your service! The confidence you reposed in me today, now that I have recovered from the surprise it gave me, has raised me above myself; I feel courage to serve you at any price. Restore to me your confidence, and I swear to deserve it by frankness and sincerity, at every hazard."

Lauzun's voice trembled, and the princess was not less agitated. For a long time she silently and hesitatingly gazed upon him. "I no longer feel as

I did this morning," she said, at length, "I was then frank;—your reserve, Count Lauzun, has made me also reserved." She was again silent; her beautiful blue eyes were, for a moment, dimmed, a gentle sad smile played upon her lips; at that moment was heard the dull sound of the clock striking twelve, and the princess shuddered. "It is midnight, and Friday begins," she said, growing paler; "it is an unfortunate day, in which no good thing should be undertaken. I dare not tell you the name now. I feel as if half of my happiness was already taken away, because I only thought of it at this unlucky moment, and mournful forebodings fill my breast. Go now to the king; count, good night; to-morrow, Saturday, at the queen's," she hurriedly whispered, as she beckoned to her ladies, who were in attendance.

Lauzun gazed thoughtfully after her retreating form, but did not venture to struggle against the almost universal superstition with which this day was regarded, and from which, perhaps, he himself was not wholly free. Slowly crept the hours until the evening, in which all his hopes and fears should end. Already hundreds of wax tapers, in the apartments of the queen, changed night into the most brilliant day; their rays were reflected in a thousand forms from the gilded walls, and the dazzling lustre of the jewels, the glittering embroidery, the numberless girandoles of rock-crystal, shed a peculiar rainbow-colored light through the perfumed air. The duchesses, seated upon their rather uncomfortable tabourets near the queen, formed an enviable circle, and looked proudly down upon the groups of countesses, marchionesses, and viscountesses, whom court etiquette required to remain standing, and who were almost too weary to sustain themselves in an erect position. Gallantry, intrigue, unmeaning court flattery, circulated through the saloon. Near the queen the conversation, as customary in such places, was low, gentle, and subdued; but more lively and interesting in proportion to the distance from her.

Near a large mirror, a little apart from the rest, Anna de Montpensier sat thoughtfully upon the seat to which, as a French princess, she was entitled. Although the evening was already far advanced, she had not yet mentioned the name. Count Lauzun had not yet found a favorable opportunity to join her, notwithstanding she had placed herself, perhaps unconsciously, in a position best calculated to favor that object. Timidly glancing her eyes over the brilliant crowd, she saw him for whom alone she looked, intently gazing upon her from a corner of the saloon not far distant. It seemed to her at this moment that friendly whispering spirits were advising her to conquer her maiden shyness;—a deep blush, a slight hesitation, and quickly, as if to leave no time for reflection, she turned to the mirror, apparently to adjust the magnificent ornament on her breast,—once more she looked in the glass towards the corner he occupied. There still stood Lauzun, watching her slightest movement. Gently, like an angel kissing a sleeping child, she breathed on the mirror, and upon the surface, dimmed by her breath, with light fingers, wrote, C'EST VOUS. She then sank back upon her seat, while the writing disappeared as rapidly as it was formed.

The queen now rose to depart, and the consequent movement and confusion in the room happily gave the princess time to recover herself. She also must leave, with her ladies, for the Luxemburg palace. On departing, her eyes once more sought the now happy Lauzun. Pale with joy, he still remained motionless in the same attitude; she saw that he had read and understood; she felt that his eye was upon her, but she could not meet his glance. Without approaching her he followed to the carriage in a delirium of happiness.—"C'est vous," was written wherever he looked; "C'est vous" was engraved upon his heart; "C'est vous" was seen in the starry heavens. He thought of nothing—could think of nothing, but these two words; he fell asleep while murmuring them, and saw them in letters of light in all his dreams that happy night.

On awaking the next morning, he could not believe the events of the preceding evening to be anything but an illusive vision. Again the old struggle returned. Now he blamed himself for his foolish presumption—now he regarded himself as the happiest being on

earth. "I will see her," he said, at last—"she will tell me if I have dreamed."

He found her attending high mass with the queen, at the palace chapel. Absorbed in her devotions, she did not appear to notice him; but never did a purer or more fervent prayer ascend to heaven, than that of Anna de Montpensier in this important crisis of her life.

When the service was concluded, the princess rose to follow the queen to the royal nursery. For the first time Lauzun rejoiced in his situation at court, which gave him the privilege of attending them. With timid pleasure Anna de Montpensier listened without looking up, to the sound of his footsteps; she scarcely knew herself, so changed did she feel, so deserted by her usual self-possession—and her embarrassment became even painful when the queen passed with the governess to another room, leaving her alone with the count.

Scarcely knowing what she did, she sank upon a couch which had been placed for the children near the fire, while the count, improving the opportunity, approached her. "I am frozen almost to death," she remarked, for the sake of saying something, fixing her eyes steadily upon the fire, and appearing to be warming her beautiful hands.

"And I! my gracious princess—and I! I have hardly deserved this punishment," said Lauzun, in great agitation. The princess looked inquiringly at him—"this mockery," continued he, almost inaudibly. "And can you really believe that I would trifle with you?" asked the princess, rising and gazing at him with love, hope, and trustful confidence beaming in her face. Their eyes met,—and there was no longer need of words. Enraptured, delighted, forgetting everything, Lauzun was on the point of falling at her feet, when she warned him by a look that the queen was returning.

On the next Sunday evening the princess seized a favorable moment to reveal to the king the name of him she had chosen. "That he is your favorite," she said, "made me first prefer him, and that he is your subject, a French nobleman, and one of your personal guards, has placed him, in my eyes, on a level with any prince. In future it will be my pride, the joy of my life, for which I daily thank God, that I am in a condition to elevate this distinguished and most noble of men, to such rank and wealth as will enable him to surpass in outward splendor, as far as he already does in inward excellence, those who, from selfish motives, have heretofore sought my hand."

The king listened to the outpouring of his cousin's feelings with attention and sympathy. "God forbid that I should wish to deny so happy a destiny to any man who deserves it," he said; "but I would rather sacrifice all, than give reason for a suspicion that I desired to advance a favorite at the expense of the happiness of a near and beloved relative! So, dear Anna, I will give no opinion as to your choice, but leave you to follow the dictates of your true heart and pure mind. I shall always remain your friend, dear cousin. May you find happiness for yourself in imparting it to others—but I advise you to be cautious, for Lauzun has powerful enemies."

"Whom can we fear if you be for us," said the delighted Anna, stooping to kiss his hand—but raising and affectionately embracing her, he withdrew.

Who can describe the wonder, the surprise, the amazement with which the whole of Paris heard the intelligence, that on the approaching Sunday the already settled marriage of the princess would take place. "If you are confounded," wrote Madame de Sevigné to her daughter in the country, while announcing to her Lauzun's surprising good fortune, "if you are overcome, if you declare that we are trying to make you believe something utterly improbable, in short, if you abuse us, and say everything against us, it is all right, for we have all done the same to each other here in Paris."

The whole nobility of France felt themselves honored by the distinction the princess had conferred on them by choosing one of their number. Crowds of congratulators from the first families poured into the Luxemburg palace; and some of the nobility, with the Duke de Richelieu at their head, even thanked her on their knees for the high honor shown to them in her choice of a husband. Lauzun's relatives and nearest friends of both sexes, pressed around,

full of joy and gratitude. They clasped her knees, kissed her hands—even the hem of her robe. Anna de Montpensier was full of love and happiness: "Love him," she said, "yes, love him sincerely, earnestly—the whole world has not love enough to reward him as he deserves."

The royal family, with exception of the king, were openly and decidedly opposed to this marriage. The queen was most displeased of all, for she had hoped to obtain the splendid inheritance of her relative for her younger son, the Duke of Anjou, in the event of her remaining unmarried. She was foolish enough to tell this to the princess, and heaped upon her reproaches instead of congratulations. She even tried, by entreaties and threatenings, supplications and reproofs, to make the king withdraw his already pledged consent; but this was not the way to influence Louis XIV.

Monsieur, the brother of the king, also saw in the engagement of the princess the destruction of all his own secret plans. He had been only a few weeks a widower; his wife, Henrietta, of England, (whose exceeding grace and sweetness are still preserved to us in the Dresden Gallery, by the masterly skill of Vandyke,) was poisoned by the Chevalier De Lorraine, the unprincipled favorite of her husband, and Monsieur only awaited the expiration of the usual period of mourning to ask the hand of his rich cousin. His intentions were well-known at the court, and probably hastened the decision of the princess de Montpensier, who could not endure the thought of such a union.

Reposing unlimited confidence in the king, the princess feared not the anger of her other relatives; and Lauzun, thinking only of his consummate happiness, forgot the whole world besides. Still those who wished well to both of them were not entirely free from anxiety. Amid the rejoicings and congratulations, warning voices were heard, entreating them to hasten the execution of their intentions, and also advising the count not to go out unarmed or without attendants.

These intimations were at first little regarded by the happy ones; but they were so often repeated, and by different persons, that the princess felt there must be some reality in the threatened danger. And it was decided at once that, instead of celebrating their nuptials with royal splendor at the Louvre, on the approaching Sunday, they should be quietly married in the country on Thursday.

The king was easily persuaded to consent to this change, and only one day was to elapse before the completion of the happiness of the lovers. Was it strange that from their elevation they overlooked this seemingly inconsiderable space?

The princess spent this last day in placing, through more than royal gifts, the man of her choice in a situation as nearly as possible on an equality with herself, and in the preparation of the marriage contract. She gave up to him in advance four of her provinces, whose value amounted to twenty-two millions. These were the duchy of Montpensier, from which he was to take his name; the Earldom of Eu, the possession of which raised him to the rank of the first peer of France, and the two rich duchies, Saint Fargeau and Chastellerault. Lauzun was burdened by this generosity; he felt like a man who stands at the base of a magnificent building and looks upwards. The gorgeous structure of his happiness seemed threatening to crush him; he could not rejoice; this greatness was not his element, as it weakened love, and fettered him with golden chains quite foreign to his disposition.

Thursday at last arrived, and all was ready for the drive to Charenton, where the priest awaited them at the altar. Nothing was wanting but the signing of the marriage contract, or rather the contract itself. After hours had passed in impatient expectation, intelligence finally came that the contract could not be finished till night, and consequently the bridal must be postponed to the following day. "Friday!" exclaimed the alarmed princess, "shall we approach the altar on that unfortunate day?" Vainly did Lauzun endeavor by entreaties and remonstrances to banish this superstitious terror from her usually calm and fearless mind. With a heavy heart he was forced to leave her unconsoled, as his duty, which on this day he dared not venture to neglect, required him to be near the person of the king.

Anna's apartments were thronged

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with visitors, and in the excitement of receiving them, she vainly sought to escape the misgivings which became still stronger after Lauzun's departure. The faces around her no longer appeared the same as on the preceding day. Cold, sneering countenances oppressed her; false smiles mocked her where before she saw only sincerity, love, and gratitude. Every hour she sent messengers, laden with threatenings, entreaties, and splendid promises, to hasten the completion of the contract; she would at any price avoid the fearful Friday, and was resolved to proceed to Charenton by night—but in vain. The legal gentlemen obstinately maintained the same snail's pace; the most trifling forms must be examined ten times over; everywhere they found fault and mistakes; they promised to labor the whole night, and hoped to have it ready by daylight.

Late in the evening her dear friend returned, pale and weary: a thousand provoking accidents had troubled him the whole day; nothing which he had undertaken had succeeded. The malicious friendliness of his open enemies, the cautious deportment of his true friends, the many mysterious warnings from every side—all had made him feel conscious of some change since yesterday, the precise nature of which he could not discover.

The king was, apparently, as friendly as usual; but during the whole day he had no opportunity to speak to him in private, for Madame Montespan was ill, and the monarch passed many hours with her.

For the first time during the day a beam of joy sparkled in Anna's eyes when she saw her friend again; she offered her hand to him, and motioned him to a seat by her side, which he declined.

"Permit me to remain standing before you, my royal princess, as becomes the subject of your house," said he; "allow me the satisfaction of not forgetting, in this glimpse of perfect happiness, what I am! I am still bewildered by the unaccountable kindness of fate. I feel as if I was floating in a heavenly dream, with the consciousness that I am soon to awake deprived of all. Alas! from whom, from what side will the blow come?"

"Lauzun," exclaimed the princess, "you afflict, you grieve me exceedingly!" But he, without noticing these words, fell on his knees before her,—"Forgive me," said he, "if I frankly confess to you that I am tormented by the thought, that perhaps you repent of having distinguished me; it may be only your generosity, only an honorable adherence to your pledged word, which, leads you, notwithstanding every obstacle, to fulfil your promise. If it be so, consider well—it concerns my whole life, and perhaps my future salvation. Believe me, no one would blame—the world would praise you, if you would now retract.

"For God's sake, what language!" interposed the princess; "how is it possible,—how can it be that such a thought has entered your soul!"

Lauzun concealed his drooping head in his hands, like one overwearied. "Misfortune hovers over me; I hear the rustling of its wings," he murmured to himself; "the blow that is to annihilate me must and will fall—would it not be a consolation that it came from the beloved hand———."

At this moment the door opened; Lauzun sprung upon his feet, and with pale countenances they both eagerly looked to see who was about to enter. It was only one of the ladies of the princess, who informed her that the king expected her in his cabinet in a quarter of an hour. "Thank God!" exclaimed the princess, "the contract is ready at last; they have brought it to the king for his signature, as was agreed, and my kind cousin disregards the lateness of the hour, in order to relieve me from my suspense."

Lauzun willingly took the same view of the matter as the princess, and his heart became lighter. In the greatest haste the arrangements for the following day were made. But they could not part, even for a few hours, without a return of their secret forebodings. Lauzun left her with assumed calmness, but Anna burst into tears as soon as he was gone. "It is truly joyful," she said, to one of her ladies, "to be so near the end,—to have succeeded before the expiration of this day at last;" and her tears flowed more abundantly, but without relieving her heart.

She found the king in his cabinet—he was troubled, and apparently embarrassed; folding her in an embrace,

he held her in his arms a long time without speaking.

"My dearest cousin," he said, at last, "you find me in trouble, but it is best for you to hear what is unavoidable, and without delay, through me, whose sympathy will lessen your pain. My dear Anna, we kings stand in the world conspicuous as the sun in the heavens, and therefore must there be no spot or blemish on us. In Paris,—throughout the whole kingdom, and even at foreign courts, I have certain knowledge it is reported that I am about to sacrifice you, my dearest cousin; that you, because it is my will, are sacrificed to the Count Lauzun, my favorite, that I may raise him to the rank of a prince of the blood. My kingly honor must not suffer in the eyes of my subjects and the world. I feel the distress, the injustice you suffer; but you must bear it with resignation—it concerns the most sacred thing in the world—the honor of your king. You must give up all thought of this marriage with Lauzun."

Who can describe the scene that followed! Who can describe Anna's distress, her remonstrances, her entreaties, her complaints, her passionate implorings rather to be put to death than separated from the only man she had ever loved!—The immoveable monarch complained with her,—he knelt near her, when with despairing supplications she fell at his feet,—he held her a long time in his arms, he was melted with pity,—but he remained firm.

His own glory was of more value in the eyes of Louis than all other considerations, and those who desired the rupture of the marriage, had so artfully worked upon this, his weakest side, that they had moulded him at will. Madame de Montespan, Lauzun's secret but powerful enemy, had neither forgotten nor forgiven his former offence. She, and the hostile members of the royal family, spared no means to attain their end, and had well improved the single day allowed them by the unfinished contract. Their success was such that the king thought he was acting nobly when he showed himself weak and cruel; and no proofs, no arguments that the poor princess could command, were allowed to move him.

The sorely stricken lady reached her room in a state of almost insensibility. She had scarcely returned when the door opened, and the pale and trembling Lauzun entered, supported by his faithful friend, Guitry, and accompanied by the Duke of Montansier and Marshal de Créqui.

"The king has commanded us," said the duke, "to conduct Count Lauzun here, in order that he may thank your royal highness for the favor you intended him. The king is much pleased at the submission with which you both have yielded to his wishes; he entreats your royal highness to be convinced that he will do everything but this to show his love and grateful consideration."

"What can he do?" cried the despairing princess; "what can he do, the powerless one, when he has trodden my peace, my repose, my happiness under his feet? Oh, Lauzun! how can you, how can we both bear the future?" She then suddenly rose from the couch on which they had laid her, fainting, and seizing Lauzun's hand, said with a dignity in look and tone which awed his companions—"At least I may be permitted to take leave of my happiness, of the man whom I shall never cease to mourn, without witnesses."

She led Lauzun into the adjoining cabinet, the same to which she had repaired a few days before, for the purpose of revealing the secret of her heart. There she fell weeping upon his breast, and, for the first and last time, was clasped in the arms of her lover.

The firmness which he had hitherto preserved now deserted him; his eyes overflowed with burning tears, heavy sighs escaped from his heaving bosom, and when he recovered, he saw that the unhappy one in his arms had found a short relief from trouble in unconsciousness. From this unconsciousness she subsequently recovered only to endure a long struggle between death and the now joyless life.

Long before this struggle was decided, the unhappy Lauzun was again banished, by a second lettre-de-cachet, from the living world; for, notwithstanding all the specious arguments and persuasions of Lauzun's enemies, a voice in his own heart importunately accused the king of injustice; and one is never so cruel as when he feels that

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he has been unjust. Louis persuaded himself that he believed what he really did not,—he received as true the accusation that Lauzun, under the appearance of submission, conceived the design of being secretly united to the Princess de Montpensier,—and punished the supposed crime with incredible severity, that the presence of the man he had injured might not be to him a continual reproach.

Silently, abstractedly, Lauzun entered the carriage which was to convey him he knew not where. At every point upon his long journey his hard fate excited innumerable expressions of sympathy; but he received them with the same indifference as if they had been uttered in a foreign and unknown language.

The accompanying officer made every possible effort to lighten the mournful journey. With true French politeness, he sought to draw him into conversation, that he might relieve his overcharged heart by complaints; but Lauzun continued silent. Only once, when they were passing a dangerous place in Savoy, and he was requested to leave the carriage, a bitter smile played upon his lips.

"Count Lauzun has nothing now to fear," he answered, remaining in the carriage, and gazing unmoved into the deep chasm by the side of the narrow road.

At last they reached the high fortress of Pignerol, situated on the Piedmontese mountains, and surrounded by mournful pines, where he perhaps was destined, for his whole life, to atone for a few careless words spoken to a courtier; for it is probable that it was this imprudence which had excited the anger of Madame Montespan, and thus had finally proved his destruction.

Following his jailer as silently as he had traversed the route, he now entered the gloomy subterranean dungeon assigned for his prison. Carefully examining the mournful abode, "In sæcula sæculorum," he said, as the clanking and rattling of the bars and keys announced his farewell to light and air—to joy and life—and was now, like thousands before him, forgotten by all but one loving heart.

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## SONNET.

BY THE AUTHOR OF "THE YEMASSEE," "GUY RIVERS," &C.

### STUDENT'S NIGHT-WATCH.

Beneath my chamber window I recline,
And all is still around me. Nature lies,
With her poor children sleeping. All, save mine,
Are closed, the easily-persuaded eyes;
Sweet visions pass before them, such as rise
On childhood's innocent slumbers;—*they* can sleep!
Alas! why is it that we would be wise,
And in hard study and conclusions deep,
Learn only of the precious gifts we lose,
Self-banished, sweet affections we abuse,
When we might live in them, and through their smiles
Feel the soft night pass o'er us with her dews,
As if, usurping all our wakeful toils,
She held herself alone the privilege to weep!

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# PAPERS OF AN OLD DARTMOOR PRISONER.

EDITED BY NATHANIEL HAWTHORNE.

## CHAPTER XII.

ROUGH ALLIES.—CLOTHING.—UNHEALTHINESS OF THE PRISONS.

"We had a gang of men at Dartmoor, called "rough allies," and they were as rascally a set of devils as ever escaped drowning, to have the chance at some future day of standing on air and pulling hemp. I know not the etymology of the word; but it was highly expressive of the qualities of those who bore it. They were rough as untamed bears, and allied together in the bonds of wickedness; for they were the very antipodes to anything savoring of morality and decency. I verily believe that three quarters of all the misery and privations we endured here, were owing to these human brutes; and I *know* that however blameable Captain Shortland may have been on the day of the massacre, he would have wanted the pretence for his conduct had it not been supplied by these graceless scoundrels. They were the most miserable, debased wretches one can possibly conceive of; the promoters of all riots and plundering expeditions; and were continually prowling about the prisons, day and night, seeking what they might steal and devour. Some one has aptly enough denominated them the Janizaries of Dartmoor; and the analogy holds that they were the terror and detestation of the orderly portion of the community.

If one of these rough allies coveted the goods of a neighboring shop-keeper, he would go round to some of his comrades, and say that the shop-keeper had sold light penny-worths of tobacco, butter or bread. Immediately the watch-word of "Heave O!" would resound throughout the prison; the rough allies would assemble in force, and make a foray upon the shop-keeper, capsize his table and steal his goods; and he would deem himself lucky if he came off no worse.

I find in my diary the following entry: "1815, Feb. 13th. The market stopped in consequence of a man having escaped from the cachot, (or black hole,) where he had been confined some months. He scaled the palisades when the turnkey was off his guard, and got in among the rest of the prisoners, who refused to deliver him up when demanded by Capt. Shortland."

"Mr. ———, a shop-keeper in No. 7, was reported to have said that the man ought to be delivered up, when some rough allies assembled in great force, and demolished his stand and plundered his goods."

Such an occurrence as this was but too common. The principal leader of these wretches was an unprincipled scoundrel, who, I am happy to say, was not an American. He had been tried in the United States for piracy and murder, and defended himself, I have understood, with much ability. He was acquitted for want of evidence, though in prison he often boasted of his crime. He was an artful, plausible fellow, of a very good education, report said learned, and master of several languages and sciences, and possessing an uncommon dexterity in the use of the pen. He could counterfeit any man's handwriting, and so exactly imitate steel-plate engraving, that it was extremely difficult to distinguish between the imitation and the genuine. He was very fluent in the use of language, possessing, what sailors call *the gift of gab*, in perfection.

When he first came to the depot, he took up his residence in No. 7, where he soon set himself to work to stir up strife among the inmates. He asserted that they were cheated by the committee and the cooks, who, he said, were in the daily habit of embezzling a part

of their provisions. No other charge could be so likely to excite the indignation of the captives; for the allowance was but small at most, and to abstract any portion of it from hungry maws, was the most heinous offence that could be committed. This the demagogue understood well enough, and he laid his scheme accordingly. He gathered around him all the rough allies, and deluded many right-minded, but unthinking men, of a better character, to his party; when feeling himself to be strong enough, he one day took possession of the cook-house, turned out the cooks and appointed others, and usurped the whole authority of the committee. Like the despot of former times, he was himself the state, but only for a short time; for the holy alliance of the commandant and turnkeys made an invasion of his usurped dominions, overthrew the usurper, vanquished his forces, and led the conqueror off captive to the black hole; and the committee and cooks were reinstated in office. But quietness was not restored to our community; the elements of rebellion were at work; the volcano burst forth, and the chairman of the committee, a highly respectable gentleman, of correct deportment and unassuming manners, nearly sixty years of age, was seized by the rough allies, placed under a guard of their number, and, notwithstanding his age and respectable character, they were preparing to commit further violence on his person by whipping him. But his son, who was also in the same prison, being a high-spirited young man, gathered together a number of his friends, and rescued him from the hands of these desperadoes.

Their leader was in a short time released from the cachot, but he did not come into our prison again. He went into No. 5, where he followed the business of gambling and counterfeiting. He could counterfeit the notes of the Tavistock and Plymouth banks so well, that a great many were passed to the market-people, who came to the prisons. He was also an adept at coining.

I have frequently traced the sure and rapid progress of vice in many young men, who came to the prisons with fair moral characters, and who, before gaming was generally introduced among the prisoners, passed their time in innocent amusements, or in acquiring useful knowledge. As the first step in the career of depravity, he would hover round the gaming-table, where he would soon be fleeced of all the little money he had. His clothing, piece by piece, would be "shoved up the spout" for a quarter of its value, till he was left with barely enough to cover his person, but not enough to defend him from the damps of the prison and the cold of the winter. From gaming, the transition to theft was a rapid one; detection and punishment soon followed, and then farewell, a long farewell to all sense of self-esteem and moral rectitude. The once high-minded and honorable youth became a confirmed rough ally, prowling about the prisons seeking what he might be able to steal, or perhaps tending a gambling table in No. 4, a miserable slave to an ignorant negro. I had to mourn over the degradation of several youths of my own acquaintance —and, so far as I know their future history, they never recovered from it.

The term federalists was one of great opprobrium in Dartmoor, and it was the one most frequently made use of by the rough allies to give a pretext for, or to extenuate their acts of violence and plunder; and it answered quite as well, or perhaps a little better, than the charge of selling light ha'penny-worths.

These fellows would hang about the market on market-days, watching their chance to steal; and their depredations on the market-people was so frequent, that, at last, the commandant would not allow any of the captives to go out into the market-yard when the market was held, but caused them to stand in the passage-way of communication with the prisons, with the iron gate in front of them shut, so that when an article was bargained for, it was handed in between the bars of the gate, and the purchase-money passed through in the same manner. But the poor market-people were not much the better for this arrangement; the purchasers too often forgot to pay when they had received the article, but would move off with it as fast as their legs could carry them; or, as they used to term it, "Give leg-bail for security." When the market people became more cautious, and refused to deliver the goods with one hand until they had received

the money in the other, the rough allies resorted to another expedient. They would carry in their hands, concealed under their outer garments, a rope coiled up, to one end of which was attached a number of fish-hooks. Watching their chance, they would throw it, as expertly as a South American does his lasso, into the baskets containing the goods for sale; then singing out, "Heave oh!" they would run down the yard, while their comrades would cluster around the palings, to conceal them from sight, and to facilitate the passage of the plundered article through the palings; and this kind of *hooking* was generally successful.

I am sorry to say that these depredations on the English were viewed in a very different light from depredations committed on the property of each other. They were looked upon as being no concern of ours, and they were never punished. I do not think that the generality of the prisoners would have been sorry to see these men punished by the English authorities; but it was considered to be strictly their business to do it, and they could never detect the offenders. These men would insult the general and the officers all day long, quarrel and fight with each other, when they had no one else to quarrel with, and were generally as near being drunk as the state of their finances would permit them to be. In short, they were a nuisance and annoyance to every decent man in the prisons.

We were very often embargoed, (as we termed it,) that is, confined to our own yards, and sometimes shut up in our prisons, in consequence of the depredations of these fellows; and in this, as in many other affairs of this life, the innocent and guilty suffer alike.

At first, the British government furnished the prisoners with clothing; and nothing could exceed the grotesqueness of appearance of an individual rigged out in this garb of captivity. It consisted of a coarse woollen jacket, dyed a bright yellow color, marked on the back with what is called the king's broad arrow, which resembles the two sides of a triangle, the point turned upward, and another straight line running from the point, equi-distant through the middle; and the letters T. O., being the initials of transport office, in staring black letters, one letter on each side of the arrow. Also, a pair of pantaloons of the same color and material, with the same marks upon them; a comical cap made of coarse woollen stuff, and a pair of woven list shoes, with wooden soles about an inch thick. I regret that I did not procure a suit of this clothing, to bring home and deposite in some museum; and I think that a Dartmoor rough ally, rigged out in his prison toggery, would form a valuable addition to a travelling menagerie, to be exhibited as a curiosity.

Very few of the prisoners would accept of this dress, preferring rather to suffer the cold and dampness of the prisons than to wear it; and at last, Mr. Beasly, the nominal agent for prisoners of war, sent down from London some clothing for the destitute.

The trade in old clothes furnished employment for a part of the prisoners, who were almost as great nuisances as the rough allies. They would go about the prisons at all times of the day, crying out, "any old clothes to sell? who wants to buy any old clothes?" They made great profits, for in a week or two after the allowance had been paid us by Mr. Beasly's clerk, many of the improvident and gambling prisoners would be destitute of money; they would then sell their clothes for a small sum; and when the time came round again to receive their money, they would buy in again the same garments, or others, at an exorbitant profit, again to sell and again to buy, according to the state of their finances. These men had the character, and I suspect justly, of being great rascals—frequently stealing the clothes they had to sell.

The situation of the prisons was a very unhealthy one, and great mortality generally prevailed among the prisoners. Situated as we were, on a mountain said to be seventeen hundred feet above the level of the sea, in a climate proverbial as is the west of England for moisture of atmosphere; poorly paid and scarcely clad; immured in gloomy stone prisons, which a ray of sun scarcely ever penetrated; without glass in the windows to guard us against the cold and dampness, and no fires allowed in the prisons, we could not be otherwise than unhealthy. The weather, except when by a mere chance it was fair, was continually

drizzling. I do not believe, that in the seven months I was there, we had more than six weeks when it did not rain, and this at long intervals. I find entries in my diary where I have noted the appearance of the sun after intervals of six, ten, and in one instance, fourteen days; and these entries are not unfrequent. I think I can say, without the least particle of exaggeration, that I did not enjoy a single day of good health while at Dartmoor; and as friends, acquaintances, and townsmen were dropping away all around me, I contemplated the strong probability that I, too, should leave my bones in the prison burying-ground.

Those who were considered well, were afflicted a large portion of the time with swelled jaws and tooth-ache; so much so, that there were men in the prisons who had no other employment than to cure the tooth-ache. This they did by making a paste of bee's-wax, sulphur, and a little British oil. A small piece of this paste was put into a saucer or plate and set on fire; a small paper cone was then placed over it, and the smoke conveyed through a small hole in the point of the cone into the hollow of the aching tooth. There was a deal of quackery about it, as they pretended to extract a worm from the tooth, and they exhibited it on the plate. This was done by putting a mustard-seed into each parcel of the paste, which getting shrivelled and parched by the heat, passed off well enough as a small worm. I can testify to the efficacy of the process; and it was probably caused by the conversion, in the act of combustion, of a portion of the sulphur into sulphuric acid.

Small pox and measles made great ravages, but the most prevailing disease was that disorder of the lungs, called by physicians, 'Perepneumonia notha.' It hewed down the prisoners in vast numbers; and, as I have already mentioned, almost the whole crew of a South American privateer were exterminated by it.

The whole number of prisoners who died at the depot was two hundred and fifty-two. The prisons were used to confine Americans in about a year, and the average number of prisoners there was under four thousand. The mortality, then, was about one in thirteen, or six or seven times the average of mortality in our New-England towns; and when it is recollected that the prisoners were generally robust men, in youth or middle life, and that, at home, comparatively few deaths take place among men of this description, it must be conceded that the mortality at Dartmoor was frightful.

It was at one time so great that the British government sent a surgeon down from London; but whatever medical skill or kind and attentive treatment could do, was done by the head surgeon of the depot, Dr. George McGrath, a tall, one-eyed, but whole-souled Irish gentleman. He possessed more influence with the prisoners than any one else, and he owed it to his courteous manners, and kind and skilful treatment of those who fell under his care. When we were about to leave the prisons, the inmates, through a committee, addressed a grateful and affectionate letter to this gentleman, thanking him, in warm terms, for his kindness; to which he returned a very modest and kind reply. I brought away with me a copy of this correspondence, but I regret that I cannot now find it.

The assistant surgeon was not popular with the prisoners; he had the character of being harsh, severe and unkind. I do not certainly know if he was so, as I never had any intercourse with him.

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## CHAPTER XIII.

### AMUSEMENTS.—ESCAPE.—MARKET.

The sources of amusement at Dartmoor were various. Running, wrestling, boxing, ball, cricket and other athletic games and exercises, were continually going on in the day time, in the several yards. Many of the prisoners became expert boxers and fencers under the tuition they received there.

But the all-absorbing amusement with too many of them was gambling. The judicious portion of the captives fore-

saw what tremendous evils would result from the indulgence of this vice; and, when we first went to Dartmoor, very severe regulations were adopted, to prevent its introduction into the white prisons.

But the case was otherwise in No. 4. There gambling always prevailed; for Big Dick reaped a revenue from the gambling-table, and I believe was the owner of several himself.

No. 4, therefore, was our "Palais Royale" in more respects than one, and the gamblers were Dick's most strenuous adherents. After we had become acquainted with the fact, that the treaty of peace was concluded at Ghent, the prisoners indulged the expectation, which to some was never realized, and to none speedily, of being very soon released; and they relaxed in their efforts to suppress gambling. The tables soon began to appear in Nos. 5 and 7; and they increased so rapidly that these two prisons very soon became rivals to their dark neighbor, No. 4. I believe that gaming never prevailed to such an extent in Nos. 1 and 3, but as these prisons were in a different yard, which I did not often visit, I cannot speak confidently.

The games were dice and cards, such as brag, vingt-une, &c. In some of the corners might be seen roulette-tables continually twirling round, and rolling the money out of the pockets of the silly dupes. The cock-loft of No. 4 presented a view of every variety of gambling implements, (except a billiard table,) and I have often seen the church filled up with gambling-tables before the congregation had all dispersed. Simon's pulpit itself, when not devoted to sacred uses, served the baser purpose of two gambling-tables.

We had two theatres in Dartmoor; one in the cock-loft of No. 4, the other in that of No. 5. In the former, the performers were mostly blacks; in the latter, they were all whites. It is unnecessary, perhaps, for me to remark, that they were all males; for the English were not ungallant enough to retain females as prisoners, if they ever captured any. The female parts were played, as they were in London in the early days of the drama, by boys; and with their appropriate dresses, and being properly painted, they did the thing well enough. The only exception I ever noticed was in No. 4, where I witnessed a tall, strapping negro, over six feet high, painted white, murdering the part of Juliet to the Romeo of another tall dark-skin.

The blacks were pretty well in pantomine—it seemed to be more natural to them; for there their grimaces and contortions all told with good effect. I witnessed a ludicrous accident one evening, which was attended with no bad consequences, except a few contusions to the subject of it. It was in a pantomine in which occurred a storm, attended with lightning, which struck Harlequin dead. Columbine (I think it was) should have descended from the cloud, and resuscitated him with a stroke from her magic wand. The cloud was made of cloth, and the lightning with gunpowder and some other combustible materials. The cloud was suspended by a cord, and the lightning, instead of striking Harlequin, struck the cord and burnt it off, so that poor Columbine came down by the run, and barely escaped serious damage.

The scenery, decorations and dresses of this theatre had been got up by the French prisoners, who had been confined at Dartmoor, and who went away shortly after the Americans began to come in. They were very good, and were purchased of the Frenchmen by the negroes.

The performances in No. 5 were altogether of a higher order, but the scenery and decorations were not so good, having been got up by the company themselves; and they were not such expert artists as the French. The plays here were sometimes tragical, but more generally what are called genteel comedies. Some of the performers, it was thought, exhibited a talent for the drama, which, if it had been fostered by cultivation, would have made them highly respectable, if not eminent anywhere.

I have before me two play-bills which I copied at the time; they were written in large characters, and stuck up about the walls of the prisons.

"The Dartmoor Thespian Company respectfully announce that there will be a performance at the Theatre No. 5, this evening, December 29th, when will be presented the admired Comedy of

THE HEIR AT LAW.

(Here followed the cast of the characters,) together with the favorite afterpiece of
RAISING THE WIND.
On account of the reception of the happy news of the TREATY OF PEACE, the theatre will be Splendidly Illuminated."

"The Amateur Dramatic Company will give a performance this evening, Feb. 3, at the Theatre No. 4.
When will be presented Home's celebrated Tragedy of.
DOUGLASS,
together with the admired Pantomime of
HARLEQUIN REVIVED.
Doors open at 5 o'clock—performances to commence at 6.
Admission, seats 6d, rear 4d."

One would think, from the remarkable care taken in the construction of the depot to prevent escapes, that such an event was impossible. It was indeed difficult, but one who had the necessary hardihood and perseverance, and who was moreover favored by circumstances, might succeed. The most common mode was to bribe a soldier. The guard was relieved every night, and the relieved soldiers marched out to their quarters in Princeton; the barracks within the walls of the depot being used only for the soldiers on duty and the relief. A prisoner, therefore, who had made up his mind to the attempt, would procure a grey over-coat, like those worn by the soldiers; he would place some article in the back, under the coat, to resemble a knapsack, a pasteboard front to his hat, and the rim of his hat cut off, all but in front, would bear a near enough resemblance in the night to a soldier's cap; a stick, carried under his arm, was a substitute for a gun, as the soldiers, when the weather was inclement, carried their arms in the position called "secure." I had an acquaintance who escaped in this way, got to the coast, stole a boat, and went across the channel in the night-time to France. He joined a privateer fitting out there, sailed in her, was captured, and came back again to his old quarters in Dartmoor, just one fortnight from the day he made his escape.

After the prisons were guarded by the Somersett militia, this chance of escape was cut off; for they were, in our vernacular, too surly and boorish, or as some may think, too faithful, to be accessories to the attempt. They kept a strict watch on all suspicious movements, and if a man but thrust his head out of one of the windows of the prison after dark, pop would go a musket.

A man one day attempted a novel mode of escape. I happened to be in the neighborhood of the market-yard, when what appeared to me an empty beer-hogshead was rolled out of one of the yards. It had accomplished almost half its transit across the market-yard, on its way to a dray, which was in waiting to receive it and carry it off to the brewery at Exeter. An officer came down the yard, with a fencing foil in one hand and a hammer in the other; he ordered the cask to be stayed, knocked out the bung, and thrust in his foil. Immediately there was a ventriloquial sound from within the cask. The officer ordered it on end, knocked in one head and out jumped a man, who, looking around him a second or two, sneaked off into the prison.

Before I went to the prisons there was a plan concerted to escape, by digging a mine under one of the prisons, to go beyond the walls, and considerable progress was made in the work, when the matter was informed of by one of the prisoners, and the inmates were all removed from the yard, and the hole filled up. The man who informed was sent away by Capt. Shortland; for it would not have been good for his safety to have remained among the prisoners. In sailor's phrase, "he would have lost the number of his mess." The name of an informer was an odious one at Dartmoor, and the mere suspicion of an intent of betraying any of the prison secrets to our keepers, placed a man in an uncomfortable and dangerous position. So, likewise, did any supposed want of fealty to our country. There were a number of men who arrived at the depot at different times, and who had been prisoners at Chatham. They had been discharged from men-of-war; and report said, and perhaps truly, that instead of having been impressed, they had voluntarily entered the British service. They were arraigned before a self-constituted tribunal, and without much formality of trial, were found guilty of treason. Their judges then proceeded to act as executioners, and tattooed the letters T. R. on their checks, and other-

wise disfigured them. Upon knowledge of these facts, Capt. Shortland determined to bring the offenders to justice, and had them arraigned at the Exeter Assizes for trial; but from some cause or other the trial was postponed, and the men sent back to the prisons, and before the Assizes were held again, the prisoners had been sent home, in consequence of the peace. One poor man came very near losing his life, as these wretches were about hanging him, but he succeeded in making himself heard by the sentinels, who collected the guard and rescued him.

We frequently, while in prison, heard of reverses to the American arms, and we now and then got a glimpse at their triumphs. The British officers were very sure always to send in the papers containing accounts of the former, but they were very studious, as far as they could, to exclude the latter. We received the account of General Drummond's retreat from Fort Erie, the 23d November, and the next day we kept as a day of thanksgiving for this success. We could not keep it in our time-hallowed New-England style, but we were as thankful over our scanty modicum of thin soup, as were many at home, with more savory and abundant viands.

The 22d of February we remembered as the birth day of General Washington, by hoisting the American colors on all the prisons.

The 18th of March we received news of the battle of New-Orleans, and the prisons rang again with the joyful acclamations of their inmates; and at night every prison was illuminated in the best manner we were able to do it, (not very splendidly, I allow,) but we were proud of this brilliant winding up of the war, and our hearts were illuminated with joy; so we could well dispense with any very splendid outward manifestation.

We were occasionally visited by people from the neighboring towns, attracted by curiosity to see the prisoners, and now and then by some one from London. Sir Isaac Coffin came down twice, and had interviews with all the Nantucket men. He had several relations there, to whom, report said, he was kind. It was understood that he offered to procure the release of the Nantucket men, on condition that they would settle in the island of Anticosti, in the gulf of St. Lawrence, and carry on the whale-fishery; and that they declined acceding to his proposal. Alderman Wood visited us once, and was very courteous to the captives.

We had a market every day from 11 o'clock A. M., to 2 P. M., except Sundays, and at the times when we were under embargo. The market was well supplied with every article needed for consumption in the prison, and was productive of no small profit to the country people. It was very difficult to understand the dialect of these market folks; and the frequent dilemmas and mistakes we were led into from this cause, were productive of no little fun. British travellers often sneer at the corruption of language prevailing in the United States, but one may travel from Passamaquaddy to the confines of Texas, and though he will meet with cant terms and local phrases prevailing everywhere, he will find the dialect essentially the same. But this is not the case in England; for there every county has its own peculiar dialect, almost unintelligible to the residents of another. I was conversing one day with a friendly young officer of the guard, when I made use of an expression which he laughed at, as an Americanism. I called his attention to a countryman in the market-yard, who was instructing a young man respecting the disposal of a sack of potatoes, and asked him to interpret to me his directions; and he confessed that he was completely puzzled.

One of these Devonshire-men, who frequently visited the market at Dartmoor, is now residing within a quarter of a mile of the writer, having become an American citizen, and reared up a large family of stalwart *Yankee boys*. Every time I see his bluff, burly visage, and hear the tones of his Devonshire dialect, I am reminded of my residence at Dartmoor.

In the neighborhood of our mess there was a young man, a native of the same town with the writer, who had lost three fingers of his left hand in a daring, but unsuccessful attempt to regain his liberty. The story is substantially as follows: Some time about midsummer of 1814, two hundred and fifty prisoners were removed from the prison at Melville Island, near Halifax, and were sent on board of four transport

vessels, which soon sailed for England, under convoy of the Goliath, a razeed seventy-four, carrying 56 guns, and commanded by Captain Frederick L. Maitland, who afterwards commanded the Bellerophon 74, and to whom Napoleon surrendered himself after his final abdication. Among these prisoners were most of the officers and crew of the privateer Diomede, late of Salem.

After being at sea two or three days, the prisoners on board of one of the transports perceived, when they went on deck—which they were permitted to do one at a time—that the weather was almost continually foggy, they being on the banks of Newfoundland, and that the Goliath was out of sight; as were also the other vessels, for five or six hours at a time. Some of the more daring, who had reconnoitered the crew and marines closely while on deck, and saw that they felt under no apprehension of a revolt, and were consequently off their guard, conceived a project of regaining their freedom by capturing the vessel. When below, they proposed to their fellow-prisoners to rush up and take possession of the ship at once.

Now there is very little doubt that had they done so, they would have succeeded, and most of them agreed to the proposition, and sprung on their feet for immediate action; but one or two, who had been officers of privateers, and who, as the event proved, considered "discretion to be the better part of valor," dissuaded those who were for immediate action, and proposed to lay some plan, and then go to work systematically on some future day.

They then consulted together, and agreed that the first day when the fog was dense enough to obscure them from the view of the other ships, they would make the attempt. The plan was, for one man to go on deck and reconnoitre, and if the prospect was good, to seize the sentinel at the hatchway, and cry "Keno," as a watchword for the others to rush up. It was three or four days before the attempt was made, and in the meanwhile they had divided themselves into parties, to each of which some specific duty was assigned. One party was to gain the quarter-deck, and secure the companion-way and helmsman; another was to secure the fore-hatchway, where the marines were berthed; and another was to take charge of the forecastle and secure the scuttle, to keep the watch below from gaining the deck.

But during all this discussion and hatching of plots the courage of some who, from their position, should have been leaders, being of the Bob Acre's kind, oozed out, and worse than all, there was treason in the camp. A foreigner, who had been a carpenter of a privateer, gave information to the captain of the ship of what was going on among the prisoners; and in consequence, he adopted every precautionary measure to prevent the success of the attempt.

On the morning assigned for it, the British officers and passengers armed themselves, but kept below in the cabin, so as to have no unusual bustle or appearance on deck. The sailors also were privately armed, and the armed marines were concealed on the quarter-deck, being covered with an old sail.

The prisoners being ignorant of the discovery of their plot, and of the measures taken to frustrate it, those who went on deck, seeing no unusual appearance, and the weather being favorable, they resolved to make the attempt for freedom. Accordingly an active, daring young man, named Obed Hussey, of Maine, who had been captain of the fore-top on board the Diomede, went on deck and proceeded to the head, and while there, observing that the convoy was not in sight, he returned to the hatch-way as if to descend into the hold as usual, but timing his movements in such a manner as to arrive at the hatch just as the sentinel turned his back towards him to walk aft, Hussey grappled him, calling out "Keno," and had his musket from him in an instant. This was executed with so much daring rapidity, that from ten to a dozen of the prisoners gained the deck before the British had time to recover from their astonishment; and if those who wanted to be considered leaders, and who had talked most valorously during the plotting, had shown the same spirit as those hardy fellows who gained the deck, the issue might have been different from what it was. But these men of big words and small deeds showed the white feather, and the mass, who never lead but always follow, seeing that those they relied upon to head them hung

back, immediately retreated into the hold, and left those on deck to the tender mercies of the British.

Meanwhile, those on deck proceeded forward and secured the fore-scuttle, and were proceeding to secure the fore-hatchway, when they found the officers and passengers rushing on deck from the cabin, with arms in their hands, and at the same time they received a volley from the marines who had formed on the quarter-deck, and were marching forward on both sides of the deck with charged bayonets; while the officers and passengers kept up a galling fire with their pistols, &c., from behind the marines; and to their utter astonishment, they found themselves unsupported by their fellow captives. A young man belonging to Baltimore, named John Mentz, received a shot through both his arms at the first fire; our neighbor caught him in his arms, and while holding his wounded comrade, received the wound which left him minus his three fingers. He then got down below through the fore-hatchway, with four or five others, while such of the remainder as were not too badly wounded got out of the way in the best manner they could, by getting under the fore-channels, &c., &c. The marines, after they had cleared the deck, fixed down the fore and main hatchways; but as the captives had got well into the wings, they hurt no one.

After the British saw that all was quiet, they took those who were wounded into the cabin, where a brute in human form, and who called himself a surgeon, operated on them, cutting off one of the arms of poor Mentz and the three fingers of our neighbor with a dull knife, and during the whole time he was abusing and insulting them, and appeared to do his best to give as much pain as possible.

The fog cleared off the same day in the afternoon, when the wounded were all transported to the Goliath, where they received all the sympathy and tenderness that their situation required. The surgeon of the Goliath was Barry O'Meara, who was afterwards surgeon to Napoleon, at St. Helena. From him they received every care and attention, and were indebted to his skill and kindness for the proper care of their wounds. Our neighbor had not recovered his health when the vessel arrived in England, and he was sent to the Hospital, near Portsmouth, till the cure was completed, and was afterwards brought to Dartmoor. He is now a wealthy merchant, displaying as much energy and activity in the prosecution of his very extensive mercantile operations, as he did of valor on board the transport ship where he was a poor captive.

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## ASDRUBAL'S WIFE.

BY WILLIAM H. C. HOSMER.

"The flames spreading rapidly, they continued to fly from one part of the building to another till at length they got on the roof. Here Asdrubal's wife appeared, uttering the most bitter reproaches against her husband, whom she saw standing below in company with Æmilianus, exclaiming, 'Inglorious wretch! what degrading actions hast thou perpetrated to preserve an existence so dishonorable!' Having stabbed her two infants with a dagger, she precipitated them from the temple's top, and leaped after them into the flames."

Upon the temple-roof she stood,
Unbraided was her hair,
And loud shouts from the multitude
Rose wildly on the air.
Pale terror in her fragile frame
Awoke no icy thrill;
She stood, as if the leaping flame
Was subject to her will.

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Maternal love each sinew strung
With more than mortal power,
For two fair infants trembling clung
To her in that last hour.
Did not their father, in his gore,
With thousands sleep below,
While haughtily that mother bore
Vile tauntings of the foe?

No!—standing by the Roman chief,
While fiercely spread the fire,
He heard his children for relief
Call vainly on their sire.
The Pride of Carthage lay around
Of unclean birds the food,
And purple was the groaning ground
Whereon he basely stood.

His well-known form the dauntless wife
Saw dimly through the smoke,
And sending up no prayer for life
Indignantly thus spoke:
"Thrice happy they who nobly die
Beneath the steel of foemen,
And scorn, at Honor's price, to buy
Existence from the Roman!

"Inhuman wretch! the blush of shame
May well suffuse thy cheek—
Faint are thine infants, and my name
Their lips refuse to speak.
A red sea rolls its burning surge
Their utterance to choke;
The roar of Ruin is their dirge,
Their winding-sheet the smoke.

"The savage vulture will not fly
From his affrighted mate
And 'unshell'd brood' when foes are nigh,
But stay and share their fate:
But man to guard a worthless life
The tie of nature breaketh—
To save his little ones and wife
Not one brave effort maketh.

"The *deed* is mine,—but oh, the *guilt*
On your black soul shall rest!"
She plunged a dagger to the hilt
Within each infant's breast;
Then wildly to the hungry flame
Their bleeding corpses flung—
One loud, appalling shriek went up,
And after them she sprung.

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## MONTHLY FINANCIAL AND COMMERCIAL ARTICLE.

THE month of April began with a pressure in the money market, and a rapid rise in exchange, which, as indicated in our last number, fell back in price, and was moderate in demand, for the May packet. Contrary to general expectation the returns of the banks of New-York did not, for the May quarter, show any very considerable diminution of specie, notwithstanding that the exports of specie increased as the season advanced. Nor did the loans vary materially. The results of the report showed, however, plainly the effect of the struggle carried on between the government banks, aided by the large revenues of the customs and the other banks of the city. The business of the United States for the first quarter of the current year, 1845, being the third quarter of the fiscal year 1846, has been large, but not satisfactory. We pointed out in the May number these financial causes which operated a rise in prices and a consequent large import of goods, which import of itself produced a reaction in the money market. We may now compare the first three-quarters of the fiscal year 1846, with a similar period of 1845, as exhibited in the quarterly returns of the Treasury Department.

REVENUES AND EXPENDITURES OF THE UNITED STATES.

| | 1845. | | | 1846. | | |
|---|---|---|---|---|---|---|
| Revenue. | Qr ending Sept. 30. | Qr. ending Dec. 31. | Qr. ending March 31. | Qr. ending Sept. 30. | Qr. ending Dec. 31. | Qr. ending March 31. |
| Customs | 10,873,718 | 4,100,360 | 6,375,575 | 8,861,932 | 4,137,200 | 7,360,000 |
| Lands | 434,902 | 600,000 | 485,533 | 480,819 | 830,000 | 437,225 |
| Miscellaneous | 27,639 | 45,000 | 20,000 | 17,717 | 31,500 | 11,645 |
| Total | 11,336,559 | 4,745,360 | 6,881,108 | 9,360,469 | 4,998,700 | 7.808,870 |
| *Expenditure.* | | | | | | |
| Civil, &c. | 1,411,052 | 1,280,009 | 1,708,408 | 1,792,178 | 1,884,000 | 1,401,632 |
| Army | 3,277,996 | 1,806,829 | 2,647368 | 4,211,931 | 1,654,394 | 1,955,787 |
| Navy | 1,906,206 | 1,668,899 | 1,578,631 | 2,331,359 | 1,541.051 | 1,056,745 |
| Debt | 638,589 | 901,858 | 6,191,797 | 121,054 | 524,365 | 69,733 |
| Total | 7,233,844 | 5,657,595 | 12,126,204 | 8,456,522 | 5,703,810 | 4,483,857 |

The revenues for the quarter, ending March 31, are, it appears, about $1,000-000 larger than in the corresponding quarter last year, although not so large as in the same period of 1844. The increase in the customs was for the month of March, and mostly at the port of New-York. In the month of April a decline in business was again apparent, as compared with April, 1845. As the greatest fluctuation took place at the port of New-York, we will give the monthly import and amount of duties for each month.

IMPORTS AND DUTIES—PORT OF NEW-YORK.

| | 1845. | | 1846. | |
|---|---|---|---|---|
| | Imports. | Duties. | Imports. | Duties |
| January | 6,310,159 | 1,687,025 | 5,219,808 | 1,474,385 |
| February | 4,730,872 | 1,247,599 | 4,662,989 | 1,266,663 |
| March | 6,154,270 | 1,602,303 | 9,760,258 | 2,617,847 |
| April | 5,899,126 | 1,524,976 | 6,328,924 | 1,385,189 |
| Total | 23,094,427 | 6,161,833 | 25,971,279 | 6,744,024 |

The large imports for the month of March, caused, as we have previously observed, a movement of specie, which increased as the season advanced, reversing the operations of last year, when the demand subsided as the spring

wore away. The following is a statement of the exports of the precious metals exported from the port of New-York for the first four months of each year:

EXPORTS OF SPECIE FROM THE PORT OF NEW-YORK.

| | 1845. | | | | 1846. | | | |
|---|---|---|---|---|---|---|---|---|
| | Gold. | Silver. | Total. | Sterling bills. | Gold. | Silver. | Total. | Sterling bills. |
| January... | 354,175 | 288,040 | 642,215 | 9¼ a 10 | 13,811 | 15,932 | 29,743 | 8 a 8¼ |
| February.. | 15,312 | 154,185 | 169,497 | 9¼ a 10 | 67,100 | 58,500 | 125,600 | 8¼ a 8¾ |
| March..... | 43,237 | 210,550 | 253,787 | 9¼ a 9¾ | 219,675 | 43,402 | 263,077 | 9¾ a 10 |
| April..... | 16,330 | 173,730 | 190,060 | 9¼ a 9¾ | 302,950 | 218,118 | 520,368 | 9¾ a 10 |
| Total... | 429,054 | 826,505 | 1,255,559 | | 602,836 | 335,952 | 938,788 | |

The rate of bills during the whole of last year remained healthy at about par. As the bank expansion progressed, however, the imports increased, and an impulse was given to them through the want of money abroad, which induced the sending of large quantities here for sale. These large amounts of goods came here at a time when the resources of the cotton-planting sections have been diminished $12,000,000, through the decreased quantity of cotton unaccompanied by an advance in price. The quantity of tobacco and sugar has also diminished 25 per cent., and the prices of all farm produce are unexpectedly low. The means of the great consuming interests have been by no means equal to the large supplies of domestic and imported manufactures, and a great decline in prices results. An effect of the large imports under the present system of cash duties, is to draw from commerce considerable sums of money, which are not re-loaned to commerce, but are, through bank agency, put into other channels of business. As an instance of the movement of the banks, consequent upon the amount of the revenue, we may take from the quarterly reports to the Comptroller of New-York the amount of specie held by the government institutions, and all the other banks in New-York, respectively: and also the amount of customs paid into the former for the quarter ending February 1st and May 1st, as follows:

SPECIE IN THE NEW-YORK BANKS, AND AMOUNT OF CUSTOMS COLLECTED IN TWO QUARTERS.

| | Govern't banks. | All other. | Total. | Customs for the quarter. |
|---|---|---|---|---|
| November 1st | 4,527,094 | 3,559,668 | 8,086,762 | |
| February 1st | 4,411,316 | 2,977,990 | 7,389,306 | 3,439,493 |
| May | 4,668,049 | 2,605,496 | 7,273,547 | 5,269,699 |

The general result is a diminution of 10 per cent. of the aggregate specie in New-York, and an increase of the quantity held by the government banks; or, in other words, the proportion of the whole amount held by the government banks in November, was 55.98 per cent., and in May they held 64.18 per cent., an increase of near *nine per cent.* This change in their favor was much more rapid under the large collections of customs from February to May, than from November to February. It follows, as a necessary consequence, that those institutions which lose most of their specie must be less liberal to their customers; accordingly, we find that *all* the decrease in loans since November has been on the part of those institutions which pay the duties, but have no public deposits. The loans are as follows:

LOANS OF NEW-YORK BANKS.

| | Govern't banks. | All others. | Total. |
|---|---|---|---|
| November | 20,846,250 | 23,317,220 | 44,163,470 |
| February | 20,680,156 | 20,329,139 | 41,009,295 |
| May | 21,324,905 | 19,930,920 | 41,255,825 |

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Here the figures present the natural result of the specie movement. The government institutions that have compelled the other banks to pay the revenues in specie have *increased* their loans $500,000, or 2½ per cent.; the other banks have decreased theirs $3,500,000, or 15 per cent., making a difference of 17½ per cent. in the amount of money which the government banks have been enabled to loan by compelling the others to contract. Now the other banks have to pay duties and lose their specie, according to the number and importance of the importers among their customers. To protect themselves they are obliged to discourage the paper of importers, and the accounts of those who pay large duties. The government banks cannot lend the public money freely upon business paper, because the depositors may be suddenly and promptly called for. They choose rather to lend it upon stock securities "at call." That is, they take a note payable on demand, with stock as collateral, and a "power" to sell the stock at the market value, for account of the owner, if the note is not met at maturity—as the stock is always taken at a large margin the operation is a safe one. It is, however, the case, that to avoid the odium of too large an amount of stock loans appearing in the quarterly returns, these notes are in many cases counted as "cash on hand." It is very evident that commerce derives very little benefit from a system like this; on the other hand the greatest evils result from it. The government revenues, so far as commerce is concerned, are already collected in specie by the banks, in whose favor credits are created by the deposits with them. That specie does not, however, pass out again into the channels of business, as would be the case under a Sub-Treasury: but it is retained by banks as a basis of loans, not to commerce or trade, but to speculators. The theory is, that the Treasury Department receives stocks as security for the loans made to the banks. The following are the official returns, showing the amount of stocks deposited with the Treasurer of the United States, as collateral security for the public funds, and the amount of funds held by those banks, at the same time:

U. STATES DEPOSITES AND STOCK SECURITIES, APRIL 1, 1846, AND MAY 1.

| | Stock security, April 1. | Deposits, April 1. | Deposits, May 1. |
|---|---|---|---|
| Bank of America | $460,000 | 1,254,518 | 1,246,158 |
| Bank of the State of New-York | 525,006 | 809,706 | 935,174 |
| North River Bank, New-York | 175,000 | 963,840 | 333,928 |
| Merchants' Bank, New-York | 400,000 | 409,515 | 792,275 |
| American Exchange Bank, New-York | 200,000 | 333,108 | 671,410 |
| Bank of Commerce, New-York | 500,000 | 449,418 | 901,797 |
| Mechanics' Bank, New-York | 313,000 | 655,703 | 551,563 |
| Merchants' Bank, Boston | 550,000 | 1,167,724 | 1,570,887 |
| Commercial Bank, Albany | 205,000 | 195,000 | 195,000 |
| Albany City Bank | 173,540 | 165,235 | 165,254 |
| Mechanics' and Farmers' Bank, Albany | 78,100 | 164,275 | 164,269 |
| Oliver Lee & Co., Buffalo | 50,000 | 51,710 | 51,710 |
| Michigan Insurance Company, Detroit | 47,000 | 63.033 | 63,056 |
| Firemen's Insurance Company, Cleveland | 30,000 | 28,304 | 28,404 |
| Wisconsin Fire Insurance Comp'y, Milwaukie | 50,000 | 192,559 | 194,475 |
| Ohio Life Insurance and Trust Co., Cincinnati | 209,000 | 173,284 | 237,173 |
| Union Bank, Nashville | 61,000 | 71,549 | 63,392 |
| New-Orleans Canal and Banking Company | 100,000 | 572,723 | 541,922 |
| Bank of Mobile | 55,400 | 166,829 | 130,560 |
| Planters' Bank, Georgia | 60,000 | 59,121 | 63,210 |
| Southwestern Rail-Road Bank, Charleston | 96,555 | 185.395 | 191,627 |
| Bank of Potomac, District of Columbia | 40,080 | 9,492 | 9,492 |
| Farmers' Bank, Richmond | 58,500 | 56,490 | 56,490 |
| Bank of Virginia do | 52,500 | 97,403 | 102,396 |
| Chesapeake Bank, Baltimore | 130,750 | 203,006 | 255,461 |
| Corcoran & Riggs | 408,500 | 459,218 | 503,898 |
| Bank of Commerce, Philadelphia | 150,000 | 295,483 | 362,481 |
| Philadelphia Bank | 150,000 | 263,543 | 407,101 |
| Bank of Middletown, Harrisburg | 25,000 | 45,525 | 45,525 |
| Exchange Bank, Pittsburgh | 150,000 | 213,666 | 207,455 |
| Farmers' and Mechanics' Bank, Hartford, Ct. | 35,000 | 32,439 | 32,520 |
| Arcade Bank, Providence | 39,783 | 23,491 | 30,283 |
| Brooklyn Bank, New-York | 25,000 | 70,000 | 70,000 |
| Mechanics' and Traders' Bk. Portsmouth, N.H. | 5,000 | 7,325 | 7,325 |
| Total secured | $5,608,634 | | |

These stock securities are very far from covering the deposites, and by no means include all the depositories; some of them have been changed, more particularly that called the Wisconsin Marine Insurance Company, a thing located in Illinois, and formerly existing under a Wisconsin charter—but the legislature has repealed the charter for its malpractices. $80,000 of the money deposited with it was transferred in specie to New-York in the first week of May. The concern is said to be a kind of agency of the Bank of Aberdeen, in Scotland, and is controlled by aliens. Chicago is the centre of an important land district, and requires some other mode of securing the government funds there, than to loan them to a rickety banking concern, without even a charter.

The general state of business has not been good. The pressure upon the money market, from causes partially detailed above, added to the war alarms, have depressed enterprise. The accumulation of stocks of goods, and the diminished demand for them, have involved those who imported and manufactured upon credit in serious difficulty; and the continued pressure of produce upon the Atlantic markets, without an adequate foreign outlet, is causing a steady decline in prices. The state of the foreign markets is indeed such as to induce the belief that as the season advances the growing scarcity will improve prices in England, so as to admit of a large export, at prices which will yield a better remuneration to producers than the present. Up to this time the effect of a short harvest has been only to retard the consumption of cotton, without creating a demand for farm produce. It is true, that the great falling off in the cotton crop is at last producing an effect in the Liverpool market. Like the season of 1839, however, when immense failures resulted from speculations, based upon a short crop, the effect of that deficit is counteracted, to some extent, by the failure of the English harvest; and also by the great manufacturing activity of the previous year, which has supplied most foreign markets with goods beyond their powers of consumption.

The gloom which has so long been hanging over the political world has at last burst in a storm. After thirty years of profound peace the United States are again at war, and on a scale greatly beyond any of their former military enterprises. On the first of May there was a surplus in the Treasury of near $13,000,000; of this amount $10,000,000 has been appropriated by Congress for extra expenditures in the prosecution of the war against Mexico. This must involve a great change in the current of business. The expenses attending an army of 50,000 men, operating on the Mexican frontier, will be large, and involve a heavy balance of exchange in favor of that section of the country. The ordinary expenses of the War Department were, for 1845, $9,533,202; of this amount $4,500,000 was for the army proper, which consists of 8,000 men of all arms. To support the 50,000 men ordered by Congress, at the same ratio of expense, will require a disbursement of $30,000,000 per annum. Consequently, the present surplus may meet the demand for four months. The inference is, therefore, that the present depositories must call in loans, and pay out on government account $10,000,000 in the next four months, independent of increased navy expenses. And as military movements cannot be regulated by paper promises, the payments must, for the most part, be in specie; and as ordinary expenses have also to be provided for, a loan of at least $10,000,000 is wanted now.—The probabilities are, therefore, that a great and steady drain of specie will set south, to an extent that will seriously embarrass the banks in their present absurdly extended condition. It is, however, fortunately the case, that the New-Orleans banks hold a much larger proportion of specie to their credits than any of the other banks of the Union, notwithstanding that they have rapidly extended themselves in the last year. Their aggregate returns have been as follows:

BANKS OF NEW-ORLEANS.

| | Loans. | Specie. | Circulation. | Deposits. |
|---|---|---|---|---|
| January, 1845 | 3,168,450 | 8,138,987 | 2,082,130 | 6,589,059 |
| Do. 1846 | 4,482,232 | 6,182,080 | 2,556,895 | 6,223,915 |
| February, do | 5,743,785 | 6,528,712 | 3,635,578 | 7,193,884 |
| April do | 6,170,000 | 6,930,165 | 4,252,361 | 8,129,240 |

In January, 1845, the specie was to the circulation as four to one; having increased from a proportion of one to four, in 1839, when those institutions were required to resume payments. The large expenditure of the government in that quarter, in specie, may produce a considerable curtailment of the specie they hold—but not to an injurious extent. Texas may be greatly benefited by the war expenditure; but as the specie will not leave the country, but pass from the hands of contractors and soldiers into general circulation, it will not affect unfavorably the general business, unless, as is usually the case in times of political difficulties, a disposition to *hoard* springs up, causing coin to disappear from circulation. A state of war enforces, in a degree, the specie clause, as far as government transactions in relation to the army are concerned. And when the war on our own territory is carried on on a gigantic scale, the financial operations of the Treasury Department exercise a great influence upon money affairs generally. It is the case, that capital leaves, for the most part, those channels of employment that it has occupied during peace, and creates new interests, dependent upon a war expedition. The difficulties that environed this country during the last war with England, growing out of the scarcity of manufactures, and the small capital of the country, have now, to some extent, been remedied, by the natural growth and prosperity during thirty years of profound peace.

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## TALES OF THE SOUTH AND WEST.*

English critics have noticed, as a trait in American literature now becoming a veritable something, the facility of invention and power, with skill of execution, of our writers of fiction. American tales are at a premium at this present writing, in London and Edinburgh, and are employed to eke out the pages of some of the most flourishing of their magazines. From English critics of the present dynasty have come some of the most generous praises of American authors, as from Jerrold, Miss Barrett, and even Dickens, who at first copied Irving.

The article on American works of fiction, in the Foreign and Colonial Quarterly Review, some three years since, was much the honestest and most liberal piece of criticism we have seen on American romance; but its excellence is in its general judgment almost wholly: inasmuch as many capital writers are not even mentioned, while inferior scribes occupy their place to their exclusion. Such sins of omission and commission can result only from ignorance of their works. Dr. Bird, Mr. Ware, and Mr. Carlton receive a just sentence; whilst we read not a word respecting Mr. Dana, Mr. Mathews, Mr. Poe, or Mr. Simms, authors certainly entitled to honorable mention.

Not to speak of the finish, the humor, the delicate grace of Irving, in his Dutch and English tales; without referring to the fine invention, aerial fancy, and purely original vein of Hawthorne, in his admirable fancy sketches and admirable pictures of New-England romances, characters, and manners, and that practical mingling of shrewdness and mysticism; entirely excluding the domestic histories of Mr. Dana, so earnest and true, instinct with genuine passion, and with its rare accompaniment, deep, rich, "marrowy" sentiment, the very breath of our intellectual and sensitive life; and leaving entirely out of question the powerful fictions of Brown and Cooper, we still can point to a large body of writers of fiction, tales, "miniature novels," [which Schlegel thought the best form of the novel,] and narrative sketches, affording convincing proof, if any could be wanting, that imagination, at least adequate to the production of a prose fiction of the first class, and creative power, are not wanting here, and which, employed on American themes, whether of history, character or manners, legend or land-

* Wiley & Putnam's Library of American Books.—"Western Clearings." By Mrs. C. M. Kirkland. "The Wilderness and the War-Path." By James Hall. "The Wigwam and the Cabin."—First and second series. By W. Gilmore Simms. "Prairie Land." By Mrs. Farnham. Harper & Brothers.

scape, cannot fail to give our literature a national character, which, indeed, it is every day acquiring.

Thus, beside the genuine originals we have mentioned, [Irving, Dana, Hawthorne, Brown, Cooper, Poe and Irving,] we have to fill out a good list of tale-tellers; Miss Leslie, a sort of modernized Miss Burney on a smaller scale, and like her, expert in strong satire of vulgarity; Miss Sedgwick, pleasing in her home pictures and tales for children, and pre-eminent among American female writers; Mrs. Kirkland, the cleverest sketcher of western manners we have, and the best western raconteur, at the same time; not in the same line with Judge Hall or any other western writer, but in a class unique and individual. Of the two Neals, John has tact and power; Joseph, humor, (of the broadest) and copiousness. The Portland writers are expert in a love history or life-assurance story; while the Philadelphians are best in city scenes of local and burlesque humor. Briggs is quite at home in a satirical tale, with his ingenuity, tact, keen observation and dry humor. Hoffman can throw off a better hunting or sporting story than any writer we have. Mathews has both humor and pathetic skill, and in his Motley Book has done some excellent things. Sands left some laughable pieces, verging on caricature. At different times, even Mr. Bryant, Leggett, and many others, have published very readable efforts of this kind. The critic in the Quarterly referred to, says, and says handsomely, though truly: "We rarely, if ever, take up an American Annual or Magazine, without finding some one contribution individually racy, and *without any peer or prototype on this side of the ocean.*" With the same critic we heartily agree, that though more unpretending in form than the regular novel, the skill of tale writers, with their best attempts, "contains more characteristic excellence than is to be found in the library of accredited novels." We have no one admirable novel except perhaps the Pilot; all Cooper's fictions, admirable as they are in scenes and particular descriptions, being confessedly, even according to Mr. Simms, Cooper's heartiest critic, excellent only in those passages, and abounding in faults elsewhere. But we do possess, without dispute, a body of expert story-tellers, to be cherished and made much of, and to be [a serious climax] STEREOTYPED.

Many of these tales have a sectional character and reputation. They are, professedly, sectional in their choice of subject and back-grounds. It is a history of love or hate, to be sure; but the locality is laid in Illinois, Michigan or South Carolina, with the scenery peculiar to those regions. It is a love-history, but of planter, Indian, negro or early settler, and the interest varies accordingly. European readers cannot be supposed to read with sufficient knowledge, or with analogous feeling of patriotic interest, and hence these national and local narratives lose for them a striking and peculiar charm. To us, Americans, for this reason, they offer a very strong attraction, independent of the genius involved in the conception of them, or the artistic skill employed in their execution.

We have for the West, Judge Hall and Mrs. Kirkland; for the South, Mr. Simms; for New-England, Mr. Hawthorne; Dutch New-York has her Irving; for revolutionary historical novelists, Cooper and Neal, [both of whom might have been trimmed down into good writers of novelettes]; Philadelphia has her Brown; Virginia, Wirt. The South-west is ably represented, so far as Texas is concerned, by a spirited writer of interesting adventure, in the American Review, though the best pictures of the life of the planter and society in general, in the South-west, have been painted by a German—Seatsfield. The river scenes, and personal histories of the Creole and emigrant planters—his capital analysis of democracy and the banking system; his Creole balls and dinners, are inimitable. We must honestly profess ourselves ardent admirers of the foreigners who so easily, so truly, so vividly described, what appears mysteries to most of us, at the North-west, with regard to the institutions and manner of life of the South. With what acute eyes did not this German remark upon apparent paradoxical inconsistencies in the Southern character, and how willingly, how lightly does his style glide and flow in those admirable conversations at table, or on board of steam-boats, which teach us so much more of practical political philosophy, than the elaborate disquisitions of Detsequeville.

New-Orleans, that great mart of commerce and city of pleasure combined, is still to be painted. We could point to writers who might do something of what we suggest; the writer of some admirable letters in Arcturus might unite more study of the town, as the Paris of the South-west, to represent it vividly and picturesquely. Mr. Simms ought to be able to do his part, though he has confined himself more to his native state and its vicinity. Mr. Briggs might revive old recollections, and give original impressions of that [in some respects we must consider it, at least] most remarkable city of our country.

For the West, Mary Clavers, the most agreeable and original of American female writers, the equal, not the imitator of Miss Mitford, is one of the best writers of western sketches and manners we have seen; she pursues a course, and occupies a prominence in historic authorship, quite dis-

tinct from Judge Hall. The latter writer illustrates rather the historical romance of the west—especially that of Indian and French settlers' life, than the manner of the present race of emigrants. Mrs. Kirkland is as much at home in Michigan as the Judge is in Illinois. Her sprightliness, good sense, high feeling, keen penetration, are inexhaustible, and her style is a clear and natural reflection of these fine qualities. This writer is, perhaps, the best *sketcher* we have, as Mrs. Farnham is the best writer of western tales. Her circle is apparently confined to that region; but why it should be so, does not follow, necessarily, or by any equal places. Though after the universal applause with which her western tales have been received, what can we say of Prairie Land? — what new tribute can we bring to her grace, humor and naturalness? Mrs. Farnham is the Miss Burney of the new settlements, (not the Madame d'Arblay, for Evelina is the best of the fictions of that writer, as well as the earliest.) Her ordinary vision is not confined to the city or village, but flourishes also in the back-woods. The broad vulgarity, the rustic proneness, the senseless pretensions of a certain class of vulgar minds the world over, is to be found wherever real coarseness but affected fastidiousness exists. Mrs. Clavers, with all her satire of such persons, has nothing of the same quality in her own writings, a criticism that cannot be so justly passed upon the authoress of Evelina, who cherished a certain artificial gentility, the reverse in appearance of vulgarity, but still its invariable accompaniment. The humor of Prairie Land is gay and sympathetic, as well as keen and satirical. She can jest as well as ridicule; she laughs with, as often as she laughs at, her characters.

We have previously written fully of the merits of Mr. Simms' Wigwam and Cabin. We know not anything we can add to our previous judgment, save in the way of parallel with the somewhat similar series of tales by Judge Hall, the western historian, par excellence. Books are accomplished raconteurs, but Mr. Simms brings more of the novelist's art, and the concentrated force of the practised writer to his aid, than the Judge appears to us to possess, or to be able to control. In level passages, Hall is generally the neater writer, always correct and pleasing: yet Mr. Simms throws more power, passion and energy into his narratives. The Judge is something of a humorous satirist, and indulges in a playful vein of innocent raillery, which we are not apt to meet in the pages of the southern novelist. Making a fair allowance for the difference between the Indian in the south or at the west, we still think Mr. Simms' Indians the most truly and graphically painted. Judge Hall seems to be most at home in his romantic legends and domestic history of the early French settlers, their manners, customs, character and disposition. He is an enthusiastic [preserving the proprieties of the respectable, gentlemanly, JUDICIAL author,] lover and describer of western scenery and life. His narrative is clear, easy, natural, continuous. If he has none of the giant's power of genius, he is also without its harshness, abruptness, and occasional extravagances. He is a remarkably equable writer, and if we may infer, from the cast of his style and his idiomatic terms, something of a purist, in his notions of English composition. His sentimental reflections evince thought and feeling, and though by no means profound, are invariably just and liberal. We have marked a few sentences of this description, which we will transcribe: "They who decry female beauty as mere vanity, are but superficially versed in the movements of the human heart. To speak of it lightly as an outward show, as an ephemeral possession, that blooms and is blighted with the passing season, may be very plausible, but it is also very fallacious. The beauty of a woman is a substantial quality of such value, that there is scarcely a doubt whether it be not the pearl of price, the most precious gift of nature. It is the talisman of her power, the agent and the symbol of her sovereignty. Men not only admire, but do homage to it; they not merely love, but worship it. Wealth, intellect, and attainments sink into nothing in comparison with this power, which outshines while it adorns and vivifies them all. It is so irresistibly attractive as to produce a powerful reactive influence on the character of its possessor. The beautiful girl soon becomes conscious of a power that elevates her above her companions. The love of admiration plants itself deeply in her mind, and the desire to deserve and win that tribute inspires her thoughts and polishes her manners. The ambition to please becomes a ruling passion; and no woman of superior personal attractions ever made that attempt in vain. Politeness and gracefulness grow out of the continual effort to gain approbation; unless, indeed, where the defect of mind is so great as to substitute arrogance and self-conceit."

Judge Hall holds a pleasing pencil, and with which he has sketched many a fair scene. His descriptions of the prairie scattered through all of his tales, are peculiarly well done.

Judge Hall has been very justly classified by a judicious critic, as a Western Irving, without his force of humor or fertility of resources; comparatively a feebler writer, yet still well worthy of a place among our first American standards. For Irving's rich humor and charming description, you

find in him agreeable pleasantry. He has not equal fineness, yet as much truth of sentiment. In style he is equally pure, though by no means as rich and musical.

If Judge Hall is justly styled a Western Irving, Mr. Simms may be at least as appropriately called the Cooper of the South. For, with his favorite novelist, the Southern writer enjoys in common many of his best qualities; his directness, manliness, force and skill in painting details. Mr. Simms has produced no long work of the same sustained interest and power as the Pilot, but he has done many capital things which either his Northern rival cannot execute, or will not attempt.

In shorter tales, each of which embodies all the interest and concentrates the power of a fiction of higher pretensions of Indian and Planters' life, our southerner is at the head of a very respectable class of writers. He is a faithful painter, also, of negro character, and perfectly at home with the heroes, the average society and current manners of the south. He is admirable in his personal histories, as of Boone; in his local scenery, especially in Carolina and Georgia. His narrative is clear, racy, natural, constructed with practised art, (Mr. Simms has at least as much judgment as invention) and thoroughly American. In these novelettes the interest is always well sustained; sometimes to a pitch of painful interest, especially in the first series of these tales, as in the very first of the volume and the last work. Mr. Simms, besides, as critic and miscellaneous writer no less than an imaginative writer, is the foremost writer of the South, and is naturally the idol of those generous critics whose blood runs warmer than in these Hyperborean regions. He has identified himself with their feelings and institutions, and labors manfully to earn an honorable place for his native state, not only in a political, but also in a literary point of view. He is employed now in illustrating the lives and characters of certain of the noblest sons of the South—the Marions and Smiths—and also of the greatest men of the Revolution, one of the most brilliant of whom, Paul Jones, he will worthily history as one of the wisest and most gallant spirits (for he was both wary and bold, prudent and fearless) of our heroic era.

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## A BRIEF REVIEW OF THE LATE OCCURRENCES IN POLAND.

The tragedy which was playing in the so called Republic of Cracow, and in Gallicia, is at an end, and the debut of the actors has been such that they cannot expect promotion, and only the worst reward. If we cast a calm retrospect at this revolution of 14 days, we naturally ask the question: What did these people want, and what means and measures did they adopt for the accomplishment of their object, if any they had? The reply to the first question is very easily given, and is comprised in these words: the Independence of Poland, in its entire former extent. Twenty millions of Polanders should become free, and again have a government of their own!

But to give a reply to the second question: How was this gigantic plan to be accomplished? Or, where was even a possible chance of success? might now puzzle the leaders as well as the willing tools of this revolt, even since they have time for calm consideration and thought. A great nation, (but divided among three powerful empires) was to rise *unanimously*, even as a single individual. But was that nation unanimous?—Had this been the case, all the troops and powers of the three empires would have been insufficient to oppose their will. This question has either been wilfully neglected by the leaders, or else they were laboring under a most wonderful hallucination in regard to it. They had forgotten that the present generation was no longer the same who witnessed the division of Poland with tears of bitter blood; they did not remember, or overlooked in the most careless and unpardonable manner the fact, that the pillars of the nation, the agricultural and working classes, had become strangers to the ancient Polish throne; and that in many large districts they had partially become reconciled to the existing state of things—nay, that they felt well under their present master; they had forgotten, that in these districts, among the traditions of former highly-lauded times, only remained a remembrance of the oppression and absolute political non-existence of these same lower classes. For this reason alone, the attempts at a universal revolution in the Grand Duchy

of Posen, and in Western Prussia, had to remain like single sparks which would expire without producing any effect, since they could not ignite the entire mass. In those districts the very large masses of troops would not at all have been necessary to quell an impracticable insurrection, had it not probably been the object of the government to prevent unnecessary bloodshed, by these imposing measures.

In Cracow the great blow was to be struck which should give Poland her liberty, and again make her a great and independent country. But how was that blow struck? We will briefly answer that question, by a connected review of authentic occurrences.

If we first look at the locality it may be called favorable, inasmuch as the military and police vigilance was only slight here; and as a conspiracy could advance freely, and here be nourished by many remembrances of former Polish grandeur. But, on the other hand, it was a most unfavorable locality, inasmuch as a revolt once commenced, would have, instead of *one*, *three* gigantic opponents at its very door. Austrian troops would reach the very heart of the revolution in an hour's march; the Russians required but little longer time—and the Prussians could reach it in a two days' march. Besides this, Cracow is without any fortification, without any kind of natural protection, and contained not even heavy armament enough, (even had there been experienced soldiers enough among the conspirators to use it,) to oppose the enemy even for a short time. All these things seem not to have been remembered until the enemy was at the door.

But the entire district of Cracow offers not a single natural fortress which could keep a body of insurgents, and aid them against an enemy superior in numbers. The Republic has no Swiss mountain passes, no North American forests. Whether a plan of a campaign was drawn or not, has never transpired, but is very doubtful; not even an experienced and valiant military chief had been provided—one who should have united courage, circumspection and full experience in tactics to a celebrated name, in order to obtain the implicit confidence of the people. They had thought of obtaining arms, (muskets and scythes,) and had probably imagined that all else would find itself. With this self-satisfied belief the leaders allowed the revolt to proceed on the 20th of February, nominated a Provincial Government on the 22d, and vainly believed now to have done enough by selecting, as members of said Government, young and inexperienced persons, with whose names no reminiscences were connected, and of whom nothing had ever before been heard. This Government now issued a proclamation, the inciting part of which could have no effect whatever upon the Poles under the Prussian and Austrian Government, for these had never become acquainted with the fearful dungeons, or the lash, which those under Russian dominion knew so well. The mountains of gold which were promised in that proclamation could not lure them much, as their experience showed them different pictures from former times; and as they had no security for a change of disposition since that time. Then the Provisional Government issued an *instruction* for the general and immediate organization of the revolution, and the turning point of this instruction was capital punishment; but here also they forgot one important point, namely: that such threats only have effect when an army stands ready to fulfil them. This was the entire work of the revolutionists.

On the morning of the 23d they rejoiced and glorified their deeds, as if it had been the morning of a new era in Poland's history; and when, on the following day, even *Podgorze* was cleared by the Austrians, they already believed that the white eagle had completely vanquished the Imperial double eagle. They even found time and leisure for disputes and quarrels among the leading committees; and for internal intrigues and minor conspiracies, just as if no external enemy was any longer to be feared. The only acts of Government done by these wiseacres was to send a few corps to the support of the revolt in Gallicia, and to issue a requisition for the necessary materials of war,—and above all for money. The main body of the Cracovienne sent to *Wieliczka* failed in its attempt upon the treasury; they gained possession of Wieliczka, but found no money.

On the 26th February that body was totally vanquished near *Gdow*, by the Austrian Colonel, *Von Benedek*, whereupon Wieliczka was at once relinquished without a blow. Once more that corps gathered on the 27th, and made an attack upon General Collin, who had already returned to Podgorze, but here again they were vanquished and entirely dispersed.

A second corps traversed the Gallician mountains, towards *Wadowice*, but was at this point forced to a retreat, although only opposed by rustics and a very small division of military. A similar fate befel a third corps near *Limanowa*. Meanwhile General Collin had gathered a considerable body of troops at Wadowice, with whom he left that place and marched by way of *Izdebnik* to Podgorze. Here, for the first time, the want of artillery was most deeply felt by the insurgents. Not only, that through the want of it they could not make any successful resistance, but they suffered fearfully on their retreat by

the effective firing of the Austrians, whilst their own small fire-arms were utterly without effect. And now the insurgents at Cracow passed three days of anxious expectation, amidst entire helplessness and indecision.

The Austrians, in their immediate vicinity, grew every day in strength, and before long the Russians and Prussians must also appear before Cracow, and what was then to be done? There was but one answer to this question; either a struggle unto death, or immediate surrender at discretion. There certainly were a few exalted Hotspurs, who spoke of defending Cracow to the last man, but the majority, especially the large mass of tradesmen and citizens, had no taste for such a display of heroism. At last the armed bodies concluded to desert Cracow, which they did on the night of the 2d and 3d March. The body of the insurgents was now divided. One party directed its course towards Wielicska, and was lost, at least nothing further was ever heard of it; the other party, (of about one thousand men,) attempted an invasion into Russian Poland. But here they learned the fearful news, that a strong body of Russian troops was marching towards them, and would probably meet them on the highway to Cracow; this intelligence extinguished the last remaining sparks of courage. They quickly relinquished the plan of beginning a petty partizan war in the kingdom of Poland, hastily retreated to the Cracovienne District, and marched by way of *Krzeszowice*, towards the Prussian frontier. After they had, through a deputation, informed the Prussian commander of the frontier, of their intention to surrender to Prussia, a detachment of Prussian cavalry overtook them near Chrzanow, and conducted them into the Prussian dominions. Here they surrendered their arms. A small body of the insurgents who had lagged somewhat behind, fell into the hands of the Russians, beyond Chrzanow.

Meanwhile the citizens of Cracow had, on the 3d March, sent a deputation to General Collin, at Podgorze, to declare their submission. General Collin immediately convened a Provisional Senate, (consisting of seven members, with Senator Kopf as chairman,) commanded the citizens and the insurgents to denounce and deliver up all the chiefs of the late rebellion, as also to deliver up all arms and ammunitions. The Provisional Senate should meanwhile conduct the affairs of Government until the three Protective Powers would have made further arrangements. Any one disobeying these orders was immediately to be tried by court-martial.

In the afternoon of the same day the castle and other principal places of Cracow were already guarded by a part of the *Russian* Avantgarde, and immediately after, the Austrian General, Collin, entered the city with a large body of troops, to occupy every remaining post. Thus, on the evening of the 3d, there were already in Cracow three battalions of Russian infantry, 500 cavalry, (mostly Cossacks,) and 12 pieces of artillery, as also General Rudiger, and several large bodies of troops, on their way there. Of Austrians there were four companies of infantry, two divisions of light cavalry, and two field-pieces, all under the command of Field-Marshal Count Webna, who had, moreover, a battalion and a squadron in reserve at Podgorze. Of Prussian troops there are at present two battalions of infantry, and two squadrons of cavalry at Cracow, under the command of General Von Brandenburg.

This, then, is a short review of the late occurrences in Cracow. Concerning the insurrection in Gallicia, we can at present only say, that a fearful slaughter between citizens and boors had taken place; and that the nobility fared worse than either. According to the last advices, about 50,000 Austrian troops were in Gallicia; but even then it seemed doubtful whether quiet would soon be restored. We may, perhaps, make the revolt in Gallicia the subject of a future and separate article.

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## NOTICES OF NEW BOOKS.

*Pictorial History of England.* Harper and Brothers, New-York.

History, too often, is a mere detail of the political movements of the government of Nations, and their perusal leaves the reader greatly in the dark as to the state of sciences, arts, and social condition of the people of a country at any particular period of time. The Society for the Diffusion of Useful Knowledge published, in six large octavo volumes, an elaborate and instructive history of the people of England, showing, in a clear and interesting manner, the progress of their industry, the improvements in the arts of peace, and the science of war; the advancement of their religion, and the gradual progress of their transition from a state of barbarism to a state of high refinement. The Harpers have re-produced this valuable work, and illustrated it with two thousand engravings, descriptive of the changes in implements of industry, weapons of war, the appearance of localities, and in architecture. An interesting series of portraits is also presented, comprising the most eminent Romans and English. This valuable work will be finished in 40 numbers. of which the first has now been published, at 25 cents.

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*Recollections of Mexico.* By WADDY THOMPSON, Esq., late envoy Extraordinary and Minister Plenipotentiary of the United States at Mexico. Wiley & Putnam.

Mexico is now the object of deep solicitude to the Christian world. Its seven millions of people, of whom, perhaps, less than one seventh are of Spanish descent, have long groaned under a military despotism. The unhappily protracted struggle with Spain for independence, gave an ascendancy to the military, which has been the ruin of the country. Through the madness of those military chiefs, the war between Mexico and the United States has been produced. Its result must be, to crush the power of the army, as the invasion of Napoleon put an end to a similar despotism of the Mamelukes in Egypt. The people of Mexico will then indeed be free. Their future course is matter of great anxiety in Europe, the dynasties of which dread the increase of power which the absorption of Mexico will give the Union. The future government must, however, depend upon the people of that country; and to form an estimate of their capabilities, one must be acquainted with the customs, manners, habit of thought, and social condition. On these subjects the work of Mr. Thompson throws a flood of light. He introduces us to the houses, churches, tables, and public places of resort, and makes us socially acquainted with the people; and although he is much too prone to view everything in its best light, yet we rise from his pages with the impression that they are not the people to make a republican state of. Nevertheless, the work is one of intense interest, and indicates the vast importance which that valuable country will be to the Union when a strong infusion of the Anglo-Saxon race shall have improved its people, purged off their superstition, and taught them to respect themselves. It is by this means, rather than by immediate annexation, that Mexico may be elevated to the dignity of a member of the Union. No one should neglect reading Mr. Thompson's book. Its subject is one of the most important of this century, fraught as it is with wonders.

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*Census of Boston.*—Report to the Committee of the City Council, appointed to obtain the Census of Boston, for the year 1846. By LEMUEL SHATTUCK.

The subject of social statistics, as connected with the mere numbers of the population, on which our glorious political institutions are based, has received, hitherto, far too little attention. The want of facts, well authenticated in relation to the business, births, deaths, marriages, dwellings, domestic condition, occupations, progressive wealth, government, and general health of the population, of different localities, has been severely felt for a long period of time, and efforts have been made to supply them on the part of the federal, and some of the state governments of the Union, in imitation of the more elaborate works of some of the governments of Europe, but hitherto with little success. The valuable work of Mr. Shattuck embraces all these subjects of inquiry, and more information of a most desirable nature. The results are such as reflect the highest credit on the skill, industry and

perseverance, exhibited by the able author and compiler. In the 96 pages of the work, is embraced a view of the capital of New-England, at once comprehensive and minute, affording the most satisfactory evidence of the great prosperity of the Athens of America. We sincerely trust, that the great success which has attended the labor of Mr. Shattuck, will tempt other cities, as well as states, to add to the information conferred upon the public by him. He modestly states, that a portion of the information embodied in the work bears but "indirectly upon its main object." In this we differ from him. There is no species of statistical information in relation to the people, which is not of the highest interest.

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*The Life of General Winfield Scott.* By EDWARD D. MANSFIELD, of Cincinnati, Ohio. A. S. Barnes & Co.

The life of a distinguished soldier like General Scott is a benefit conferred upon his countrymen, and its history should be cherished by every citizen. It is in the hour of battle and the day of trial, that the virtues of the patriot are called into action. And those men who promptly and effectually expose their bosoms to the blows of the enemy in the hour of danger, are they to whom all classes of citizens are indebted for the undisturbed enjoyment of their home. The work is embellished with a portrait on steel, and embraces an account of his services during the last war—a description of the battles in which he was engaged, viz.: Queenstown, Fort George, Chippewa, and Niagara. Passing events in the political world make this reminiscence of the last war matter of peculiar interest at this time. Now that our soldiers are about again to be called into the field, their deeds in the last war should become familiar to all; and the clear descriptions, accompanied by well-executed maps of the various battles, contained in the work before us should be in the hands of all.

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*"Boarding Out," a tale of Domestic Life. By the author of "Keeping House," &c.* Harper & Brothers.

The numerous class of persons condemned to the tender mercies of "boarding-houses," will recognize in this little narrative a truthfulness of detail that will appeal powerfully to their sympathies. It depicts the ordeal through which a young couple passed, to learn that the cares of housekeeping are not to be remedied or avoided by striking your tent and becoming a wanderer in the land of your fathers.

*Wisconsin, its Geography and Topography, &c.* By J. A. LAPHAM. Paine & Burgess: New-York.

The rapidity with which this continent is settled; the enterprising and bold spirit of its inhabitants; and the vigor with which they push forward into the wilderness, to subdue it to the will of man; and the great success which, in many cases, has attended the emigrant to the west, with the almost certainty of competency that for the most part attends a location on the fertile valleys of the western waters, creates an absorbing interest in everything that relates to that land of promise. But ten years since and Wisconsin was a wilderness. It now comprises a territory nearly twice as large as the state of New-York. It contains a population of 117,000 souls, and has paid the General Government $3,768,106 for public lands. Its taxable property is $9,324,305, and it is an important grain exporting territory. The little work before us presents, in an agreeable form, the progress, resources, and advantages of that region, which in a few years will teem with a population thriving and prosperous beyond the most sanguine views of the people of the Old World.

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*The Auto-Biography of Edward Gibbon, Esq., with occasional Notes and Narrative.* By LORD JOHN SHEFFIELD. 1 vol. 12mo. Turner & Hayden: New-York.

The Decline and Fall of the Roman Empire, an immortal work, which has won the admiration of the learned of all countries, and which occupies the whole field of history for the period of which it treats, has placed the author in the foremost rank of historians, and thrown around his life an interest which his numerous admirers will appreciate. The memoir was long unprocurable separate from the other writings of the author; but has now been produced in one elegant and portable volume.

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*Discourses and Essays.* By the Rev. J. H. MERLE D'AUBIGNE, D. D., with an introduction by Dr. David. Harper & Brothers.

The great sale which attended the history of "the Great Reformation," by D'Aubigne, attest his high popularity, and the Messrs. Harpers have well responded to the wishes of the reading world, in producing this valuable collection of miscellanies by the same eloquent author.

# POLITICAL STATISTICS.

## THE WAR BILL.

The bill, as it passed both Houses, reads as follows:—

"*An Act, providing for the prosecution of the existing war between the United States and the Republic of Mexico.*"

Whereas, by the Act of the Republic of Mexico, a state of war exists between that government and the United States, Therefore—

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled*, That, for the purpose of enabling the government of the United States to prosecute said war to a speedy and successful termination, the President be, and he is hereby authorized to employ the militia, naval, and military forces of the United States, and to call for and accept the services of any number of volunteers, not exceeding fifty thousand, who may offer their services either as cavalry, artillery, or riflemen, to serve six or twelve months after they shall have arrived at the place of rendezvous, or to the end of the war, unless sooner discharged, according to the time for which they shall have been enlisted into service. That the sum of ten millions of dollars be and the same is hereby appropriated, out of any money in the treasury, or to come into the treasury not otherwise appropriated, for the purpose of carrying the provisions of this act into effect.

SEC. 2. *And be it further enacted*, That the militia, when called into the service of the United States by virtue of this act, or any other act, may, if in the opinion of the President of the United States the public interest require it, be compelled to serve for a term not exceeding six months after their arrival at the place of rendezvous, in any one year, unless sooner discharged.

SEC. 3. *And be it further enacted*, That the said volunteers shall furnish their own clothes, and, if cavalry, their own horses, and horse equipments, and, when mustered into service, shall be armed at the expense of the United States.

SEC. 4. *And be it further enacted*, That said volunteers, when called into actual service, and while remaining therein, shall be subject to the rules and articles of war, and shall be, in all respects, except as to clothing and pay, on the same footing with similar corps of the United States army; and, in lieu of clothing, every non-commissioned officer and private in any company who may thus offer himself, shall be entitled, when called into actual service, to receive in money a sum equal to the cost of clothing of a non-commissioned officer or private (as the case may be) in the regular troops of the United States.

SEC. 5. *And be it further enacted*, That the said volunteers so offering their services, shall be accepted by the President in companies, battalions, squadrons, and regiments, whose officers shall be appointed in the manner prescribed by law in the several States and Territories to which such companies, battalions, squadrons, and regiments shall respectively belong.

SEC. 6. *And be it further enacted*, That the President of the United States be, and he is hereby authorized to organize companies so tendering their services into battalions or squadrons—battalions and squadrons into regiments—regiments into brigades, and brigades into divisions, as soon as the number of volunteers shall render such organization, in his judgment, expedient; and the President shall, if necessary, apportion the staff, field, and general officers among the respective states and territories from which the volunteers shall tender their services, as he may deem proper.

SEC. 7. *And be it further enacted*, That the volunteers who may be received into the service of the United States by virtue of the provisions of this act, and who may be wounded or otherwise disabled in service, shall be entitled to all the benefit which may be conferred on persons wounded in the service of the United States.

SEC. 8. *And be it further enacted*, That the President of the United States be, and he is hereby authorized forthwith to complete all the public armed vessels now authorized by law, and to purchase or charter, arm, equip, and man such merchant vessels and steamboats, as, upon examination, may be found fit, or easily converted into armed vessels fit for the public service, and in such number as he may deem necessary for the protection of the seaboard, lake-coast, and the general defence of the country.

SEC. 9. *And be it further enacted*, That, whenever the militia or volunteers are called and received into the service of the United States, under the provisions of this Act, they shall have the organization of the army of the United States, and shall have the same pay and allowances; and all mounted privates, non-commissioned officers, musicians and artificers, shall be allowed forty cents per day for the use and risk of their horses, except of horses actually killed in action; and if any mounted volunteer private, non-commissioned officer, musician or artificer, shall not keep himself provided with a serviceable horse, the said volunteer shall serve on foot.

The vote in the House of Representatives was as follows:—

YEAS.—Messrs. Abbott, Stephen Adams, Anderson, Arnold, Atkinson, Baker, Barringer, Bayly, Bedinger, Bell, Benton, Biggs, James Black, Jas. A. Black, Blanchard, Bowlin, Boyd, Brinkerhoff, Brockenbrough, Brodhead, Milton Brown, William G. Brown, Buffington, Burt, William W. Campbell, John H. Campbell, Carroll, Cathcart, John G. Chapman, Augustus A. Chapman, Reuben Chapman, Chase, Chipman, Clarke, Cobb, Cocke, Collin, Crozier, Cullom, Cummins, Daniel, Dargan, Darragh, Garrett Davis, Jefferson Davis, De Mott, Dillingham, Dobbin, Dockery, Douglas, Dromgoole, Dunlap, Edsall, Ellsworth, Erdman, John H. Ewing, Edwin H. Ewing, Farran, Ficklin, Foot, Fries, Gervin, Gentry, Goodyear, Gordon, Graham, Grider,

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